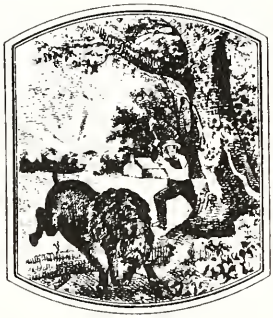

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF INDIANA,

BEING THE

EIGHTH SESSION

OF THE

GENERAL ASSEMBLY,

BEGAN AND HELD AT CORYDON, IN SAID STATE, ON MONDAY THE 1st DAY OF DECEMBER, 1823.

State Library

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

AT THE EIGHTH MEETING OF THE

General Assembly of the State of Indiana,

BEGAN AND HELD AT THE TOWN OF CORYDON, ON MONDAY THE FIRST DAY OF DECEMBER, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND TWENTY-THREE; BEING THE DAY APPOINTED BY THE CONSTITUTION, FOR THE MEETING OF THE GENERAL ASSEMBLY.

The following members of the House of Representatives appeared and took their seats:—

From the county of Knox, *John Law* and *James B. M'Call.*

From the counties of Daviess and Martin, *James G. Reed.*

From the county of Vigo, *Thomas H. Blake.*

From the county of Sullivan, *Henry D. Palmer.*

From the counties of Green, Owen and Morgan, *Eli Dixon.*

From the county of Jefferson, *David Hillis* and *C. P J. Arion.*

From the county of Jennings, *William A. Bullock.*

From the county of Clark, *Reuben W. Nelson* and *William G. Armstrong.*

From the county of Floyd, *Alexander S. Burnett.*

From the county of Washington, *Ezra Childs* and *Alexander Huston.*

From the county of Jackson, *William Marshall.*

From the county of Scott, *William D. Clark.*

From the county of Orange, *John G. Clendenin* and *Ezekiel S. Riley.*

From the county of Lawrence, *Vincent Williams.*

From the county of Monroe, *David H. Maxwell.*

From the county of Harrison, *Dennis Pennington* and *John Zenor.*

From the county of Crawford, *Elisha Tadlock.*

From the county of Posey, *John Schnee.*

From the county of Gibson, *John Milbourn.*

From the county of Pike, *John Johnson.*

From the county of Vanderburgh and so much of Warrick as is included in Boon and Anderson townships, *Robert M. Evans.*

From the counties of Spencer, Perry, Dubois and so much of Warrick as is included in Luce township, *David Edwards.*

From the county of Randolph, *John Wright.*

From the county of Wayne, *Robert Hill, Abel Lomax* and *William Jones.*

From the county of Union, *Sylvanus Everts.*

From the county of Franklin, *George L. Murdock* and *David Oliver.*

From the county of Switzerland, *Stephen C. Stevens* and *Ralph Cotton.*

From the county of Ripley, *Robert Kennedy.*

From the county of Dearborn, *Samuel Jelly, Benjamin I. Blythe* and *David Bowers.*

From the county of Bartholomew, *Benjamin Irwin.*

From the counties of Marion, Madison, Hamilton and Johnson, *James Paxton.*

From the counties of Henry, Rush, Decatur and Shelby, *Thomas Hendricks.*

From the counties of Putnam, Montgomery and Wabash, *Amos Robertson,*

Who produced their credentials and were sworn in-

to office by the honorable Isaac Blackford, one of the judges of the Supreme court of this state.

On motion of Mr. Blake,

Mr. Dennis Pennington, a member from the county of Harrison, was called to the chair as Speaker pro tempore,

Whereupon,

The House proceeded to the election of a Speaker, and upon taking one ballot thereon, it appeared that David H. Maxwell, was duly elected: who, being conducted to the chair, returned his acknowledgments for the honor confered, and recommended and enjoined the observance of good order and decorum.

The House then proceeded to the election of a principal Clerk, and upon examining the ballots, it appeared that Henry P. Thornton, was duly elected; who was sworn into office by the honorable Isaac Blackford, and took his seat at the Clerk's table.

The House then proceeded to the election of an assistant Clerk, and after examining the ballots, it appeared that James F. D. Lanier, was duly elected, who was also sworn into office and took his seat at the Clerk's table.

The House then proceeded to the election of a Doorkeeper, and upon examination, it appeared that John Moore, was duly elected, who was sworn into office, and gave his attendance accordingly.

The House then proceeded to the election of an enrolling Clerk, and upon examination, it appeared that James M. Ray, was duly elected.

The House then adjourned for two hours.

The House met pursuant to adjournment.

On motion of Mr. Pennington,

Resolved, That the Clerk of this House, inform the Senate, that the House of Representatives have met, formed a quorum, elected David H. Maxwell, Speaker, Henry P. Thornton, principal Clerk, James F. D. Lanier, assistant Clerk, James M. Ray, enrolling

Clerk, and John Moore, Doorkeeper, and are now ready to proceed to legislative business.

On motion of Mr. Childs,

Resolved, That a committee be appointed to wait on the Reverend Benjamin Adams, and request him to attend in the Hall of the House of Representatives, at 3 o'clock, P. M. this day, to open the session by solemn prayer to Almighty God. And

Thereupon,

Messrs: Pennington and Childs, were appointed that committee.

The Reverend Benjamin Adams, came in, conducted by the committee appointed to wait upon him, and request his attendance. And

Thereupon,

Proceeded to open the session, by solemn prayer and thanksgiving, to Almighty God; and after having received the thanks of the House, through the chair, retired.

On motion of Mr. Wright,

Resolved, That the joint rules for transacting business in the two Houses of the General Assembly, at the last session, be adopted as the joint rules for transacting business at the present session, and that the Senate be informed thereof, and their concurrence requested.

On motion of Mr. Hillis,

Resolved, That the rules adopted by the House of Representatives, at their last session, be adopted as the rules of this House, during their present session.

On motion of Mr. Arion,

Resolved, That a committee be appointed by the House of Representatives, to act with a similar committee to be appointed on the part of the Senate, to wait upon his Excellency the Governor, and to inform him that a quorum of both Houses of the General Assembly have met, have elected their officers and are now ready to receive any communication, he may be pleased to

make to them; and to learn of him at what time he will make such communication—that the Senate be informed thereof, and a similar committee on their part requested.

Whereupon,

The Speaker proceeded to appoint Messrs. Arion and Blake, that committee.

A message from the Senate, by Mr. Ray, a member.

Mr. Speaker,

The Senate have adopted the following resolution:

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee, to be appointed on behalf of the House of Representatives, to wait on his Excellency, the Governor, and inform him that both Houses of the General Assembly have met, formed a quorum, elected their officers and are now ready to receive any communication, which it may be his pleasure to make, and to learn at what time and place he will make such communications, and that the House of Representatives be informed thereof, and a similar committee be requested on their part, and that the Senate have on their part appointed Messrs. Ray and Thompson, that committee.

A message from the Senate, by Mr. Stapp, a member:

Mr. Speaker,

The Senate have adopted the following resolution:

Resolved, That the joint rules of the two Houses of the General Assembly, for conducting their business at the last session of the General Assembly, be adopted as the joint rules for transacting business during the present session, and that the House of Representatives, be informed thereof, and their concurrence requested.

On motion of Mr. Reed,

Resolved, That a committee be appointed to enquire into the state of the unfinished business of the last session, and that they report to this House, the state and condition thereof; And,

Thereupon,

The Speaker appointed Messrs. Reed, Murdock and Barnett, that committee.

A message from the Senate, by Mr. Stapp, a member:

Mr. Speaker,

The Senate have adopted the following resolution:

Resolved, That the House of Representatives, be informed that a quorum of the Senate have assembled, and have elected James Dill, their principal Secretary, John H. Farnham, assistant Secretary, and John Midcap, Doorkeeper, and are now ready to proceed to legislative business.

The Speaker laid before the House a certified copy of an ordor of the board of county commissioners, of the county of Harrison, made at their last November session, signed by their clerk, approbatory of the official conduct of Mr. Edward B. Wilson, trustee of the public Seminary, of said county.

Which was read and refered to the committee on education.

The Speaker now laid before the House, a certified copy of an order of the board of county commissioners, of the county of Washington, made at their November session, 1823, attested by their clerk, approbatory of the official conduct of Mr. John G. Henderson, trustee of the public Seminary, of said county.

Which was also read and refered to the committee on education.

The Speaker laid before the House, a certified copy of an order made by the board of commissioners, of the county of Daviess, at their November session, 1823, disapproving of the official conduct of Robert Oliver, trustee of the public Seminary, of said county.

Which was read.

The Speaker also laid before the House, articles of impeachment, against the said trustee, Robert Oliver, for malconduct in the discharge of his official duties.

Which were also read; And,

On motion of Mr. Reed,

Were refered to a select committee, consisting of Messrs. Reed, M'Call, Nelson and Palmer.

And then the House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, December 2d, 1823.

House met pursuant to adjournment.

Mr. Murdock, having obtained leave, presented the petition of Nancy League, praying to be divorced from her husband, Green B. League,

Which was read and refered to a select committee, of Messrs. Murdock, Blythe and Bowers.

Mr. Reed, having obtained leave, presented the petition of Abraham S. Barr, praying to be divorced from his wife, Ursula Barr,

Which was read and refered to a select committee, of Messrs. Reed, Schnee and Tadlock.

Mr. Law, having obtained leave, presented the petition of J. B. M'Call and G. R. C. Sullivan, administrators of the estate of Henry Vanderburgh, deceased, praying an act to confirm the sale of certain real estate;

Which was refered to a select committee, of Messrs. Law, Blake and Palmer, with leave to report by bill or otherwise.

Mr. Milbourn, having obtained leave, presented the petition of A. C. Miles and others, praying the change of the state road, leading from New Albany, by Corydon, to Princeton;

Which was read and refered to a select committee, of Messrs. Milbourn, Edwards and Clark.

The Speaker appointed Messrs. Evans, Hendricks, Oliver, Hillis, Law, Childs, Armstrong, Clendenin & M'Call a committee of Ways and Means.

Messrs. Blake, Law, Bullock, Nelson, Stevens and Reed a committee on the Judiciary.

Messrs. Everts, M'Call, Palmer, Nelson and Childs a committee on Education.

Messrs. Burnett, Marshall, Paxton, Jelly, Oliver, Evans and Williams a committee on Military Affairs.

Messrs. Pennington, Murdock, Wright, Huston and Hill a committee of Elections.

Mr. Brownlee, a member from the county of Fayette, appeared, produced his credentials, was sworn and took his seat as a member of this House.

On motion of Mr. Childs,

Resolved, That a standing committee on State Roads be appointed;

Whereupon,

Messrs. Childs, Irwin, Jones, Johnson and Lomax were apppointed that committee.

On motion of Mr. Arion,

Resolved, That a committee of Enrolled Bills be appointed on the part of this House to act with a similar committee to be appointed on the part of the Senate;

Whereupon,

Messrs. Arion and Nelson were appointed that committee.

The Speaker laid before the House the report of George White, agent of the penitentiary—

Which was read and refered to a select committee of Messrs. Nelson, Murdock, Bullock and Marshall.

The Speaker laid before the House the report of John M. Lemon, trustee of the Clark seminary fund—

Which was read and refered to the committee on education.

The Speaker laid before the House the report of John Penick, trustee of the Orange seminary fund—

Which was read and refered to the committee on education.

The Speaker laid before the House the report of

James Walker, trustee of the Dearborn seminary fund—

Which was read and refered to the committee on education.

Mr. Wright having obtained leave presented the petition of sundry persons of Randolph county, praying the formation of a new county out of the northern part of said county—

Which was read and refered to a select committee of Messrs. Wright, Brownlee and Hill, with leave to report by bill or otherwise.

Mr. Pennington having obtained leave presented the petition of Jacob Kintner, praying a change in the state road from Mauk's ferry to Indianapolis—

Which was read and refered to a select committee, of Messrs. Pennington, Riley and Robertson.

Mr. Speaker laid before the House, the report of Levingston Dunlap, treasurer of the Marion Seminary fund;

Which was read and refered to the committee on education.

Mr. Arion made the following report:

The committee, appointed on yesterday, to wait on his Excellency, Governor Hendricks, to act with a similar committee, on the part of the Senate, report that they have discharged the duty assigned them, and that his Excellency will, on to-day, at 11 o'clock, send a communication, in writing, by his private secretary, Mr. Payne, to each branch of the General Assembly.

On motion of Mr. Childs,

Mr. Cotton, was added to the select committee, on roads.

On motion of Mr. Law,

Mr. M'Call, was added to the committee, of ways and means.

On motion of Mr. Law,

Resolved, That a committee be appointed to enquire into the expediency of repealing the second,

third and fourth sections of an act, entitled "an act, to limit the stay of execution, and for other purposes;" —approved, January 11th, 1823; With leave to report by bill or otherwise.

Which was ordered to lay on the table.

His Excellency, William Hendricks, through Mr. Payne, his private secretary, delivered the following message:—

Gentlemen of the Senate. and of the House of Representatives,

In meeting together for the purpose of discharging the important trusts committed to us, our minds are naturally led to a retrospect of the past, as well as to a contemplation of the future—to those incidents which mark the providential interference of a great superintending cause, and the large degree of gratitude we owe, for the bounties of the past year. We have enjoyed peace and tranquility at home, and abroad—have witnessed the influence of good principles and religion on the morals of men—have seen general health restored to the community, after a season however, in which the autumnal diseases of the country, have been less severe than in former years; and whilst others are complaining of the want of the necessaries of life, the great complaint of our citizens, is a superabundance of those necessaries; or what is the same thing, the want of a market for our surplus produce.

Shortly after the close of the last session, the work of the revision of the laws was commenced, and has recently been brought to a close; a report of which will be made to you, on the day required by the act authorizing that service. This report will notice, various amendments deemed necessary to be made, in our code, and supersede the necessity of mentioning them in this communication.

The copies of a joint resolution of the General Assembly relative to the Illinois Grant in Clark county, have been duly forwarded, and it is satisfactory to know that they have safely arrived, and to receive assurances that the early attention of the Legislature of Virginia would be directed to the subject.

Shortly after the last session of the Legislature, a letter was received from the Governor of Illinois, enveloping a certified copy of an act of the legislature of that state, relating to the navigation of the Wabash. By this act the governor was authorized to appoint commissioners to examine, in conjunction with commissioners from this state, the obstructions in the navigation of

that river, from its mouth, to the point due north of Vincennes, where it ceases to be the boundary of the two states. This commenced a correspondence, which resulted in the appointment of commissioners, for the purpose of examining the "Grand Rapids" of that stream, and the minor rapids, shoals, ripples and obstructions both above and below, for the distance of fifteen miles, agreeably to the act of the General Assembly of Indiana of the 2d of January, 1822. On the part of this state, WILLIAM POLKE, Esq. of Knox county was appointed commissioner, who in conjunction with a commissioner on the part of Illinois, proceeded on the 27th of October last, to the discharge of the duties required. From these commissioners, a report has already been received, containing much valuable information, relative to that river.

The statute under which this examination was made, confined it to the distance of fifteen miles, including the "Grand Rapids." I was somewhat pressed, to extend the examination, as far as the point due north of Vincennes, where that river ceases to be the boundary of the two states, but declined going beyond the authority given by the statute. In the belief however, that the Legislature would incline to accord with the wishes of Illinois on that subject, and perhaps to authorize, even a more extensive examination, the commissioner on the part of this state was requested, to collect all the information he could, on the subject of obstructions to the navigation of that stream from Vincennes to the portage near Fort Wayne. On this subject, an unofficial letter has been received from Mr. Polke, an extract from which, together with the report of the commissioners, is submitted for your consideration. The navigation of the Wabash, is justly considered of great importance, to the people of Illinois, and it is certainly of greater importance to the people of Indiana. Every correct information on this subject, though at a period in which the Treasury can afford very little to the purposes of internal improvement, will it is presumed, be acceptable to the Legislature.

I have also received from the Governor of Illinois, sundry resolutions of the Legislature of that state, on the subject of the claim originated by the state of Maryland, to grants of land from the United States, for the purposes of education. These have been forwarded for the Legislature of this state.

A communication has also been received from the "President of the board of canal commissioners of Illinois," enveloping "an act to provide for the improvement of the internal navigation of that state." The object of this communication is, to draw the attention of this state, to the subject of "connecting the navigation of the Wabash, and the Maumee rivers, by canal communication."

This subject and communication, are likewise refered to your consideration .

A resolution of the General Assembly of the state of Ohio, on the subject of fugitives from labour, has been received, and is also laid before you.

I have received from the Governors of New York and Georgia, resolutions of the Legislatures of those states, expressive of their opinion, unfavourable to any amendment of the constitution of the United States, so as to confine the General Government in establishing banks, or other monied institutions, to the District of Columbia. A similar resolution of the Legislature of Massachusetts has also been received; all of which are laid before you.

In the present embarrassed condition of the finances of the state, you will reasonably expect to devote much of your attention to the revenue. You will expect to be informed of the amount of the state debt—of the current expenditures of the Government, and of the competency or otherwise of the revenue in existence, to meet the demands of the ensuing year. Much of this duty more properly belongs to the Treasurer of state, who will in due time give you information on these subjects, more specially than will be attempted in this communication. For the present, suffice it to say that the state debt, including the bonds in the hands of the Treasurer of the United States, with interest thereon, Treasury notes outstanding, and audited warrants in circulation, amounted on the 30th day of November, 1822, to $30,338, and if the appropriation for the Court house at Indianapolis, be taken into the account, $8,000 may be added to that sum.

The state debt, including the bonds aforesaid, Treasury notes and audited warrants in circulation, amounted on the 29th day of November last, to $28,339, to which, some claims not yet presented to the auditor, say $2,000 may be added, as also part of the appropriation to the Court House at Indianapolis, which remains unpaid.

The revenue assessed for state purposes, during the fiscal year, which terminated on the 30th day of November, 1822, and which was payable by law, into the Treasury, on the second Monday of December last, after deducting the commission allowed for collection, amounting as per annual statement of the auditor, to $30,000, of that sum only $28,320 53 have been paid, and the sum total of the receipts into the Treasury for the last year, ending the 29th of November last, amounted to $28,329 60. The expenditures of the Government during that year, amounted to $26,592 62.

The revenue assessed the last year, and which ought to be paid into the Treasury on Monday next, cannot be known at

the office of the Auditor, owing to the negligence of some of the clerks in not forwarding statements to that office.

The revenue of the state stands pledged for the redemption of the Treasury notes, outstanding in amount near $ 20,000. This sum with the principal and interest now due, on the transfered bonds, and the audited warrants in circulation, is that for which special provision is necessary to be made at the present session; for the revenue shortly payable, under the present mode of collecting, cannot be estimated with any kind of safety, as more than sufficient to meet the current expenditures of the year

The means to which you will most naturally look are a *loan*, or the re-issue of Treasury notes. To the re-issue of Treasury notes, if possible to avoid it, there are the most solid objections. They do not answer the purposes of a circulating medium, for which they were originally intended. They are a depreciated currency, the existence of which, is only valuable to brokers, and exchange dealers, while they are prejudicial to the creditors of the state, who are compelled to receive them. Their existence is prejudicial to, and retards the collection of the revenue; for individuals with good funds, will hesitate to pay, while a prospect remains of purchasing depreciated Treasury notes for the payment of their taxes; and this evil is believed to be of serious magnitude.

But the next consideration is, can a loan be obtained? Enquiry during the recess of the Legislature has been made on this subject, the result of which is, that a partial loan at least, can be obtained. Would it not then be better, to authorize a loan to a certain amount, and in the event of the whole sum, not being procured, to authorize the re-issue of the residue of that sum in Treasury notes? Should a loan of ten thousand dollars be obtained, in Treasury paper only, the advantage of even this would be great. It would take that amount from circulation, and put the balance outstanding, at par, or nearly so, and it would relieve the state, from the imputation, of encouraging a depreciated circulating medium, a species of banking without capital, which she wholly discountenances in others.

Another means of fiscal supply for the present would be, the bringing into the Treasury the county Seminay funds; and this measure is perhaps more loudly demanded, for the safety of the funds, than for the aid of the state. It is hazarding little to say that in many of the counties, these funds have not the best management. By the existing laws, the Trustees of the county seminaries, are authorized to loan them to individuals, and would they not be safer, in the hands of the state? The Trustees have six per cent. for their services, and this would be saved to the

funds. These funds ought to be permitted to grow to a considerable amount, before their appropriation to seminary purposes; and being in the Treasury of the state, they would be in less danger of disbursement, before they could be useful to education and the purposes of the constitution. But the Legislature ought not to bring these funds into the Treasury with a view of paying interest for them, longer than the Treasury might require their use or with a view of retaining them, after the existence of seminaries, in the various counties might require their employment. When the Treasury should be in a condition no longer to require their aid, which ought to be the case in a very few years, it would then be a question for Legislative consideration, whether the advantage of these funds would be best consulted, by remaining in the Treasury without interest, or by their return to the hands of trustees, under the present, or a similar system.

The competency of the revenue, depends on the certainty and promptitude of its collection, as well, as its nominal amount. The law ought to require collectors, to give special bonds for the faithful performance of that duty.

At present there is no provision, compelling the sheriff as collector, to give any other, than the bond he is required to execute, before he enters on the discharge of the duties of his office: and when any other person becomes collector, there is no *positive* law requiring such person to give bond at all. A certified copy of the bonds of sheriffs and collectors, ought to be forwarded to the office of the Auditor, and not to that of the Secretary of state. The informality and insufficiency of the bonds of public officers, is another defect in our laws, which call loudly for Legislative interposition. These considerations will present you in one view with great, and in some instances, insurmountable difficulties in the collection of the revenue. The present system, makes it uncertain whether the sheriff, or some other person is collector. No bond to shew that fact, is ever filed in the Auditor's office, and in but few instances is the law complied with, which requires certified copies to be filed in the office of the Secretary of state. Of course it cannot be known at the proper department, who is accountable for the revenue of the various counties; and where accounts are forwarded by the Auditor to attornies for collection, they have in some instances to search the Clerks' offices, for the Collectors' bonds, where they frequently find, loose informal ones: and in some cases none at all. Judgments in these various and numerous ways are prevented from being obtained, and the tardy payments of leisure and convenience to the collector, have in some instances to be submitted to, as the only mode of settlement with them. This

state of things, need only be presented to your view, to obtain its appropriate remedy.

For *remedy* of these evils, it is believed the best mode will be, to put the collection of the revenue of the state into the hands of the Attorney General, and make the collectors sueable in the Circuit Court, at the seat of government. The per centage at present allowed to attornies for that service will be sufficient. The fact of suit so far from home, will be a stimulus to the collectors in distant counties, to make such suit unnecessary. An equitable remedy where the bond should be found insufficient, and where there might be no bond at all, should be created against them.—To prove that they had received the duplicates, and that they were sheriffs or collectors in their counties, should be sufficient for the sum stated in the duplicates. The burden of proof, for every thing exculpatory, ought to be put upon them. A certain interest too, not to be affected by the contingency of judgments, ought to ensue a failure, (say at the rate of six per centum per annum, from the time payment became due until it should be made) and let this calculation and settlement rest with the Auditor. This might be in addition to the ten per cent. now consequent on judgments, or in lieu thereof. With these incentives to industry and punctuality, there can be no doubt, but that collections of the revenue would not only be much more prompt and certain, but that in some instances there would be greater amounts paid.

The duplicates might be delivered to the collectors sooner. They should be authorized to collect, and required to pay into the Treasury at an earlier day, than that prescribed by law.

It is confidently believed, that if these changes had taken place in the collecting system last year, and the seminary funds been brought into the Treasury, that we would now have been ahead of our present condition, eight or ten thousand dollars. And it is as confidently believed, that if those measures be adopted this year, we shall be able at our next meeting, to lessen the burdens upon agriculture, or dispense with some other object of taxation. There is however connected with this opinion, a belief that the objects of appropriation for the present and future years until the state debt be paid, will not be as numerous, as those of the past year. The Penitentiary will not require so great an appropriation, and the Indianapolis fund will probably meet the demands of the state in that quarter, in the erecting of public buildings.

On the subject too of taxes on unlisted lands, some further accountability of the collectors is necessary. This opinion is founded on the fact, that this provision of the revenue laws, has heretofore been, almost entirely inoperative. Very few collect-

ors since its enactment, appear to have taken any notice of it.

Connected with the state debt, I lay before you voluminous documents, giving a history of the cancelling on the 10th and 17th of September 1822, of $ 25,397 of the then existing state debt. These documents have been received, with a request, that they might be submitted to the inspection of the Legislature.

On the subject of electors of President and Vice President, no provision authorizing their election by the people, has as yet been adopted. Permit me to refer this subject to your favourable consideration.

Some Legislative definition seems necessary, to that clause of the constitution which declares, that "no act of the General Assembly shall be in force, until it shall have been published in print."

Legislative construction seems also necessary on that clause of the constitution, which directs the transmission of the returns, and the counting of votes for Governor and Lieut. Governor. *How*, *when*, and *where* the validity of the returns for those officers are to be tested and determined, ought to be regulated by law.

In the criminal code, it is believed that some salutary improvement may be made, in the gradation of punishments. For some descriptions of larceny, a year's confinement to hard labour, and the cells in the state prison, is certainly too severe.

In the management of that institution, experience has shewn, that further legislation is necessary. Responsibility for the safe keeping of the prisoners, ought to be connected with a controul over the prison. This should be required of, and given to the Agent or the Keeper. This subject will however, be probably represented to you by the officers of the institution, more correctly and more in detail, than my means of information, will enable me to present it.

In the prosecution of your arduous duties, on these and all other subjects which may come before you, it will give me great pleasure, to afford you every aid within the sphere of my constitutional powers.

WILLIAM HENDRICKS.

December 2d, 1823.

On motion of Mr. Blake,

Resolved, That reading the documents, accompanying the Governor's message, be dispensed with.

On motion of Mr. Blake,

Resolved, That the message of his Excellency, with the accompanying documents, be referred to the committee of the whole.

And made the order of the day for Thursday next.

On motion of Mr. Reed,

Resolved, That a committee be appointed, to contract for the printing of one thousand copies of the Governor's message, for the use of this House.

A message from the Senate, by *Mr.* Slaughter, a member:

Mr. Speaker,

The Senate have adopted the following resolution:

Resolved, That the Senate enquire of the House of Representatives, whether it is their intention, to prosecute the impeachment, commenced at last session, against Lewis R. Rogers, clerk of the circuit court, of Martin county, and that Mr. Slaughter be a committee, to make such enquiry.

Which, by motion of Mr. Blake,

Was laid on the table.

Mr. Stevens, gave notice, that on to-morrow or so soon after as possible, he should ask leave, to bring in a bill for the relief of John Francis Siebenthal, sheriff, and Israel R. Whitehead, late sheriff of Switzerland county.

When,

On motion of Mr. Everts,

The House adjourned until 2 o'clock.

2 o'clock, P. M.

The House assembled.

On motion of Mr. Murdock,

Resolved, That the public Printer be directed to print five hundred copies of the journal of the House of Representatives, for the use of the members of the General Assembly, and that the clerk of the House, be directed to furnish the said public Printer, with a manuscript copy of the journal, from day to day.

On motion,

Mr. Reed was discharged from the committee, on the impeachment of Robert Oliver, and Mr. Johnson was added in his place.

Mr. Everts, having obtained leave, presented the petition of Robert Swan and others,

Which was read and referred to a select committee, of Messrs. Everts, Cotton, Irwin and Kennedy; with leave to report by bill or otherwise.

On motion of Mr. Oliver,

Mr. Nelson, was added to the committee of ways and means.

Mr. Jelly, having obtained leave, presented the petition of W. Rickets and others, praying a *review* of the state road, leading from Madison to Lawrenceburgh, by Rising Sun.

And also the petition of Thomas Horsely and others, praying for the same.

And also the petition of Abijah North and others, with the same prayer.

On motion of Mr. Jelly,

Mr. Stevens, was added to the committee on military affairs.

Mr. Speaker laid before the House, the report of John Ritchie, trustee of the Jefferson seminary fund,

Which was read and referred to the committee, on education;

And also, the report of Z. F. Selly, trustee of the Pike seminary fund,

Which was also read and referred to the committee on education.

Whereupon,

On motion,

The House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, December 3d, 1823.

The House met pursuant to adjournment.

Mr. Edwards, having obtained leave, presented the petition of J. C. Ewing and others;

Which was read and referred to a select committee, of Messrs. Edwards, Evans and Clendenin; with leave to report by bill or otherwise.

Mr. Hillis, having obtained leave, presented the petition of W. Jackson and others, of Monroe county, praying certain relief therein named;

Which was read and referred to a select committee, of Messrs. Hillis, Huston and Jelly; with leave to report by bill or otherwise.

Mr. Dixon, having obtained leave, presented the petition of N. W. Pearce and others, praying a change in the seat of justice, of Greene county;

Which was read and referred to a select committee, of Messrs. Dixon, Blake and Reed; with leave to report by bill or otherwise.

Mr. Wright, from the committee on that subject, reported a bill, for the formation of a new county, out of the counties of Randolph and Delaware;

Which was read the first time and ordered to a second reading on to-morrow.

Mr. Pennington made the following report:

Mr. Speaker,

The committee of elections, to whom was referred the certificates of the returned members of this House, have had the same under their consideration, and find the following gentlemen, duly elected and entitled to their seats, in this House, viz:

From the county of Switzerland, Stephen C. Stevens and Ralph Cotton.

From the counties of Marion, Hamilton, Madison, and *Johnson,* James Paxton.

From the county of Randolph, John Wright.

From the counties of Rush, Decatur, Shelby and *Henry,* Thomas Hendricks.

From the county of Crawford, Elisha Tadlock.

From the county of Scott, William D. Clark.

From the counties of Perry, Spencer, Dubois, to-

gether with Luce township, in Warrick county, David Edwards.

From the county of Vanderburgh, and *part of Warrick,* Robert M. Evans.

From the county of Pike, John Johnson.

From the county of Union, Sylvanus Everts.

From the county of Orange, Ezekiel S. Riley *and* John G. Clendenin.

From the county of Monroe, David H. Maxwell.

From the county of Washington, Alexander Huston *and* Ezra Childs.

From the county of Clark, William G. Armstrong *and* Reuben W. Nelson.

From the county of Jefferson, Copeland P. J. Arion *and* David Hillis.

From the county of Wayne, Robert Hill, Abel Lomax *and* William Jones.

From the county of Sullivan. Henry D. Palmer.

From the county of Jackson, William Marshall.

From the county of Floyd, Alexander S. Burnett.

From the county of Fayette, James Brownlee.

From the county of Harrison, Dennis Pennington *and* John Zenor.

From the county of Bartholomew, Benjamin Irwin.

From the county of Jennings, William A. Bullock.

From the county of Knox, James B. M'Call *and* John Law.

From the county of Dearborn, Benjamin I. Blythe, David Bowers *and* Samuel Jelly.

From the county of Lawrence, Vincent Williams.

From the county of Ripley, Robert Kennedy.

From the county of Franklin, George L. Murdock *and* David Oliver.

From the counties of Putnam and *Montgomery,* Amos Robertson.

From the county of Posey, John Schnee.

From the counties of Daviess and *Martin,* James G. Reed.

From the county of Gibson, John Milbourn.

From the counties of Parke and *Vigo,* Thomas H. Blake.

And *from the counties of Green, Owen,* and *Morgan,* Eli Dixon.

Which report, on motion, was concurred in by the House.

Mr. Murdock, from the committee on the petition of Nancy League, reported a bill, favourable to the petitioner; which was read the first time, and ordered to a second reading on to-morrow.

A message from the Senate, by Mr. Stapp, a member:

Mr. Speaker,

I am instructed to inform the House of Representatives, that the Senate have adopted the following resolution:

Resolved, By the Senate, the House of Representatives concurring therein, that the military committee of the two Houses, be instructed to meet together, at such time and place, as the Chairmen of their respective committees shall appoint; and report such amendments, to the militia law, as they may deem necessary and expedient.

Ordered that Mr. Stapp, inform the House of Representatives thereof.

On motion of Mr. Arion,

Resolved, That the committee of ways and means, be instructed to enquire into the expediency of abolishing the board of county commissioners and county treasurer; with leave to report by bill or otherwise.

Mr. Evans, having obtained leave, presented the petition of J. Gay, administrator of the estate of J. Simple, deceased;

Which was read and referred to a select committee, of Messrs. Evans, Edwards and Milbourn; with leave to report by bill otherwise.

Mr. Hill, having obtained leave, presented the petition of John M'Clean;

Which was read and referred to a select committee, of Messrs. Hill, Jones, Oliver and Hendricks; with leave to report by bill or otherwise.

Mr. Huston, having obtained leave, presented the petition of James Denny and others, praying a change in the state road, leading from New Albany to Salem;

Which was read and referred to the standing committee on roads.

Mr. Milbourn, having obtained leave, presented the petition of William Embree, praying compensation for timber used in building a bridge on the Mount Vernon road;

Which was read, and

On motion,

Refered to the standing committee on roads; with leave to report by bill or otherwise.

Mr. Law,

From the committee on the petition of the administrators of Henry Vanderburgh, dec'd, reported by bill; which was read the first time—and the rule requiring it to lay over one day, being on motion dispensed with, was read a second time and ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Childs,

Resolved, That this House will not further prosecute Lewis R. Rogers, clerk of Martin circuit court, impeached at the last session of this Legislature, and that Messrs. Murdock and Childs be a committee to inform the Senate thereof.

Mr. Milbourn from the select committee to whom was refered the petition of Sundry persons praying a change in the state road leading from New-Albany to Princeton reported a bill for changing said road; which was read the first time and ordered to a second reading on to-morrow.

Mr. Clendenin having obtained leave presented the

petition of Benjamin Vancleve and others of Orange county, praying certain privileges therein named; which was read, and on motion referred to a select committee of Messrs. Clendenin, Palmer, Clark and Robertson, with leave to report by bill or otherwise.

Mr. Paxton having obtained leave, presented the several petitions of Robert Culbertson and others, and John M'Cormick; which were read, and on motion, referred to a select committee of Messrs. Paxton, Marshall, Jones and Riley, with leave to report by bill or otherwise.

Mr. Riley having obtained leave, presented the petition of Lucy Roberts and others, praying for certain relief therein named; which was read and referred to a select committee of Messrs. Riley, Armstrong, Hill and Pennington, with leave to report by bill or otherwise.

The Speaker laid before the House the report of the court of the county commissioners of Posey county, approbatory of the official conduct of Samuel Jones, Trustee of the Posey seminary fund; which was read, and on motion, referred to the committee on education.

The Speaker laid before the House the report of D. F. Goldsmith, Trustee of the Vanderburgh seminary fund; from which it appears there is in his hands, or loaned out, the sum of three hundred and fifty dollars and eight cents; which, on motion, was referred to the committee on education.

The Speaker laid before the House, a presentment of the Grand Jury for the county of Floyd, on the subject of counterfeit bank bills; which was read, and on

Motion,

Referred to the judiciary committee.

The Speaker also laid before the House, a communication from the board of county commissioners of Floyd county, approbatory of the official conduct of James R. Nance, Trustee of the seminary fund for said county; which was read, and

On motion,

Was referred to the committee on education.

On motion of Mr. Evans,

Messrs. Blake and Johnson were added to the Military committee.

On motion of Mr. Childs,

Mr. Hillis was added to the committee on state roads.

On motion of Mr. Stevens,

The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

Mr. Arion having obtained leave, presented the petition of sundry persons in the town of Madison, praying for an act to incorporate said town; which was read, and on

Motion,

Referred to a select committee of Messrs. Arion, Bullock and Zenor, with leave to report by bill or otherwise.

Mr. Nelson having obtained leave, presented the petition of Peter Barbee, praying a repayment of certain monies by him paid to the Auditor of public accounts by mistake; which was read and referred to the committee of ways and means.

On motion of Mr. Burnett,

Resolved, That the House of Representatives concur in the resolution adopted by the Senate to instruct the military committee of the two Houses to meet together at such time and place as the chairmen of the respective committees may appoint; and report such amendments to the militia law as they may deem necessary and expedient. And that Mr. Burnett be a committee to inform the Senate thereof.

Mr. Arion having obtained leave, presented the petition of sundry citizens of Jefferson, Ripley and Decatur counties, praying the location of a road from Madison to Greensburgh; which was read and referred to a select committee of Messrs. Arion, Kennedy and Hendricks.

INDIANA STATE LIBRARY

Mr. Everts from the committee to whom was referred the petition of Willis Kelly, praying a divorce from his wife, reported a bill favourable to the prayer of the petitioner; which was read the first time and ordered to a second reading on to-morrow.

A message was received from his Excellency the Governor, through his private Secretary, Mr. Payne.

Gentlemen of the Senate and of the
House of Representatives.

Herewith is submitted to the General Assembly, a compilation of the laws, agreeably to the provisions of "An act providing for the revision and compilation of the statute laws of this state," passed December 31st, 1822.

The statute authorizing this compilation, vested no power in the revisor to *alter* or *amend* the existing laws. This in many instances rendered the execution of the work more difficult, and this difficulty in some cases, induced a departure from the letter of the revision act in the interpolation of some amendments, and a change of some provisions in the statute book. This however has not been done but in cases where reasons the most obvious and strong dictated; cases few in number, generally expletive in their character, and which for the most part are pointed out in this report, that they may be seen, approved of, or rejected by the Legislature.

To this class of cases may be referred an amendment of the last session to the execution law, and in transferring of which to the revised bill, the distinction is done away betwixt judgments replevied and judgments not replevied in the sale of real property on execution. This was believed to be the meaning of the Legislature which enacted it, and this construction too accords with a late decision of the Supreme Court on the provision itself.

To this act a section is also added, authorizing a release of the body taken on a *ca. sa.* on delivering property to the sheriff sufficient in his estimation to satisfy the judgment.

In the practice act, a provision is incorporated for taking depositions *de bene esse*. To the act to provide for commissioning sheriffs and coroners a section is attached requiring those officers when appointed *pro. tem.* to give bond and security; and authorizing a writ of election to fill such offices at the ensuing general election: Also a provision for vacancies which happen immediately preceding a general election, and where no pro. tem. appointment or writ of election can issue intervening such vacancy and election.

The great defects in the law of executors and administrators are generally admitted. The statutes on this subject, after the most careful compilation, presented a rude mass of materials, incapable of forming a good system :—The sections particularly on the subject of distribution, appeared to have too much ambiguity to make them sufficiently certain by any rule of legal construction :—Accordingly a probate system entirely new, has been prepared and is presented for your consideration. Should this be rejected, the compilation of the old system is completed and needs only to be copied.

That presented however, has been selected with the greatest care, principally from the revised codes of other states—its provisions have been tested by experience elsewhere, and would no doubt, if adopted, be valuable here.

A section has been attached to the practice act, declaring that bonds given by public officers and recognizances required by law, shall not be void for want of form ; and that when such bond or recognizance has not the substantial matter required by law, the principal obligor and his securities shall not on that account be discharged, but shall be equitably bound to the state or the party interested.

A provision has also been inserted in the "act to provide for the partition of real estate" authorizing the commissioners if thereunto required, to assign and set over to the widow her dower when called upon to partition decedents estates among the heirs.

The above will be sufficient to show the nature of the amendments introduced, and will be found to specify those which are the most important.

But in the progress of the work, many imperfections and improprieties have suggested themselves, whereas the authority was not given, the liberty has not been taken of inserting amendments.

Some definition ought to be given to the equitable title in which the widow is by law entitled to dower.

Some further provision also is necessary in the law prescribing the mode of changing the venue so as to change the venue to a different circuit in chancery cases, where the presiding judge is interested, or where he has been professionally concerned. For such cases, no other provison at present exists than a direct transfer to the supreme court, by which the parties lose the benefit of a decision in the circuit, and are compelled to submit to the only decision which the law gives in the case.

In revising the laws on the subject of the judiciary, the powers and duties of the court of probate, have been collected into a short act, entitled "an act to establish courts of probate." No law heretofore gave that court a name, and it has been called into

existence only by the acts prescribing the duties of its judges. A section should be added giving it a seal.

The plan of the revision now presented is that pointed out by the statute authorizing it, with departures however therefrom in some instances, which it seemed impossible to avoid. The statutes on the same subject, have been presented in one view. The boundaries of the counties have been collected into one act. in which many sections at first necessary for the formation of new counties, are excluded.

In designating the boundaries however, there is more probability of error from the many changes and uncertain descriptions of the laws fixing them, than perhaps in any other part of the work.—The boundaries of some of the old counties could only be traced by those of contiguous ones, and in some instances no traces of original boundary can be found in the statute books.

The sections on the subject of county libraries, and of the ten *per centum* reserved by the constitution for that purpose, have been left out, and general provisions on those subjects introduced elsewhere.

Interspersed through the books are found many statutes which have never been amended—these have been generally left as they were found, and are reported by their titles—those of them which are general in their operation, and public in their character, it would be advisable to transfer to the revised code; but a large mass of them are private acts, such as the incorporation of towns, bridge companies, &c. which it would seem unnecessary to reprint in any other way than by their titles.

In the acts of incorporation where the existence of a statute beyond a specified time depends on conditions, it is probable some acts may be reported as in force, which are not so—such cases are specially referred to the representatives who are from their vicinity.

In the execution of this work, I am indebted to the assistance of Judge Scott, for the judiciary—Judge Holman, for the practice act—and to the Treasurer of state, for the law of executors and administrators and the criminal code.

To Judge Parke I am indebted for a brief of the British statutes in force in this state. Some of these have been transferred to the revised bills. The most of the residue are either substantially introduced into our code already, or are so much incumbered with extraneous matter, or the obscurity of the dark ages of British jurisprudence that it has been thought best not to bring them into the compilation. They are however, in a situation to be inspected by committees of the Legislature, who may be able to judge of the propriety of inserting or rejecting them.

It is my own opinion, that our code can be but little benefited

by all the gleanings which can be made from the British statute books The references to British law which are so frequently made in our courts of justice, are almost entirely to reports of judicial decisions and not to the acts of parliament. Lest however, any thing may be omitted which a particular occasion might deem important, it has been thought prudent to retain in our code, "an act declaring what laws shall be in force" and for the same reason that part of the practice act has been retained, which declares the British statutes of jeofails, &c. in force in this state, tho' it is not known that there is any provision in those acts of parliament which are not substantially and in sufficient detail introduced into our statutes.

To the Secretary of state I am indebted for copying the work, whose services are referred to the Legislature for the compensation to which they are entitled.

This work however far short it may fall of your expectations or my own wishes, is one of much labor; and whether it may have the good fortune to meet your approbation or not, it is confidently hoped and believed, that it will be found useful in relieving the Legislature from a great mass of labor in any revision which they may procure or adopt. In this hope and with this wish, it is most respectfully submitted, and with no other request in relation to it—than that in this spirit it may be received.

Should a revised code be adopted at the present session, permit me to suggest, that it would be desirable, that the person appointed to superintend the printing, should be authorized to preface it with the Declaration of Independence—The act of cession of Virginia, by which that state ceded to the United States the Territory North West of the Ohio river—The Ordinance of Congress for the government of that Territory—The Constitution of the United States with its amendments—The act of Congress to enable the people of the Indiana Territory to form a constitution and state government—The Constitution of the state of Indiana, and the Ordinance of the Convention accepting the propositions of Congress.

It is respectfully suggested, that copies for exchange with other states, at least, ought to be well bound and lettered; also a few copies for the Secretary's office, and for the use of the Supreme and Circuit Courts. The residue of the copies might be half bound or bound in boards.

Having but one copy of the bills, and those appertaining to revenue, belonging in the first instance to the House Representatives, I submit to that branch of the Legislature the revision in toto, to be communicated to the Senate and to take whatever course the interchange of business and the order of the two Houses may direct.

Dec. 3, 1823. WILLIAM HENDRICKS.

Whereupon,

On motion of Mr. Murdock,

Resolved, That one hundred copies of the above message be printed for the use of the General Assembly.

The Speaker laid before the House the following communication from R. A. New, Esq. Secretary of state; which was read and referred to the committee of ways and means.

SECRETARY'S OFFICE. DECEMBER 3d, 1823.

To the honourable the Speaker of the House of Representatives,

SIR,

I have the honour herewith, to present you with a copy of the contract, entered into by the committee on the part of the State, with individuals for public printing, stationary and fuel. They have contracted with Messrs Carpenter and Douglass, for printing the laws and journals, of the present session, at the following prices, to wit:

Composition at 45 cents per 1.000 m's.

Press work (medium paper and under) 45 cents per token.

Do. do. royal do. 55 cents per token.

Folding and stitching five cents per copy, when the number of pages does not exceed 300: but when over 300, six and one fourth cents per copy.

Treasury notes received in payment, or if payment should be made in specie, a deduction of 12 1-2 per cent. will be made on the above charges; the paper for the whole of the work, to be purchased by the state, but the contract will be made by the undersigned, by adding such charge only, to the original cost, as may be incident upon its purchase and transportation. The work shall be executed at the seat of government; the printing of the journals of both Houses, bills, reports, &c. will keep pace with the proceedings of the legislature, as nearly as may be found practicable; nor shall there be any thing wanting on the part of the printers, to execute the printing of the laws, in a style not inferior to the respectable law publications of the country, and at as early a period as possible. At least 60 pages will be printed per week.

CARPENTER & DOUGLASS.

P S. Such things as may be necessary to be done, and which are not embraced by the foregoing list of charges, shall be done as heretofore. The type on which the laws will be printed, shall be small type; such as are usual for works of the kind.

C. & D.

Your committee have also contracted with John Aydelott, to furnish stationary at the following prices, to wit:

Cap No. 1	$4 50	per ream
do. do 2	4 00	do.
do. do. 3	3 50	do.
Letter or post	5 00	do.

And other articles of stationary, at a fair price.

And they have also contracted. with Thomas Highfill. for fuel, during the session; at seventy-five cents per day—all of which is respectfully submitted.

R. A. NEW.

On motion of Mr. Nelson,

Resolved, That the message of the Governor of this afternoon, together with the revised bills and the accompanying documents be referred to a joint committee of revision of both Houses of the General Assembly; that the Senate be informed thereof, and their concurrence therein requested.—And the House of Representatives on their part have appointed Messrs. Nelson, Stevens, Law, Blake, Bullock, Evans, Childs and Pennington that committee.

Mr. Reed from the committee of unfinished business, made the following report:

That they have examined in our clerk's office, and found the following unacted upon—

A bill in addition to the act entitled "an act authorizing the laying off certain state roads," and for other purposes; read the first time and postponed until the first of December 1823.

A bill attaching part of the county of Ripley to the county of Switzerland, read the second time and postponed until the second Monday in December 1823.

A bill appointing trustees of the school lands reserved for the use of the inhabitants of the Illinois Grant; read the third time and postponed until the second Monday in December 1823.

A bill for the formation of a new county out of the county of Parke; read the second time and postponed until the second Monday in December 1823.

With due diffidence, your committee will defer at present offering any advice as to the course which should be pursued with the above bills, presuming however, that the House will either postpone them indefinitely or refer them severally to select committees.

On motion of Mr. Armstrong,

The bill of last session appointing a commissioner for the Clark school fund, was referred to a select committee of Messrs. Armstrong, Burnett, Clark and Nelson.

Mr. Blake having obtained leave, presented the petition of George A. Wasson and others, praying a repeal of that part of the militia law which authorizes Brigade drills; which was read and referred to the committee on military affairs.

Mr. Blake, having obtained leave, presented the petition of W. C. Linton and others, praying a repeal of the law authorizing the firing prairies; which was read and referred to the judiciary committee.

Mr. Blake, having obtained leave, presented the petition of George Love, praying a divorce from his wife, Elizabeth Love; which was read and ordered to lay on the table.

Mr. Oliver, having obtained leave, presented the petition of Enoch M'Carty and others, praying a change in the manner of doing county business; which was read, and on motion, referred to the committee of revision.

On motion of Mr. Hill,

Mr. Oliver was added to the committee on education.

On motion of Mr. Blake,

The petition of George Love was taken up, and on motion, referred to a select committee of Messrs. Blake, Palmer and Dixon; with leave to report by bill or otherwise.

A message was received from the Senate, by Mr. Milroy, a member. "Mr. Speaker, the Senate have adopted the following resolution:

"*Resolved*, That a committee be appointed on the

part of the Senate, to act with a similar committee that may be appointed on the part of the House of Representatives, to make such division of the revised laws, that have been reported by his Excellency, the Governor, to the General Assembly, as to introduce them into their respective Houses, in such manner as may be best calculated to expedite the business of the session —that the House of Representatives be informed of the adoption of this resolution, and a committee on their part requested. Ordered that Messrs. Milroy, Thompson, Ray and Harrison, be the committee on the part of the Senate."

Mr. Hill, having obtained leave, presented the petition of Robert Morrison and others, praying for the repeal of a law authorizing a tax on retailers of foreign merchandize; which was read and referred to the committee of ways and means.

On motion,

The House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, December 4th, 1823.

House met pursuant to adjournment.

Mr. Evans, from the select committee to whom was referred the petition of John Gay and others, reported a bill favourable to the prayer of the petitioners; which was read the first time and ordered to a second reading on to-morrow.

Mr. Childs, from the select committee on the petition of William Embree, reported unfavourable to the prayer of the petitioner; which report, on motion, was concurred in by the House.

Mr. Reed, from the select committee on the petition of Abraham S. Barr, praying to be divorced from his wife, reported a bill favourable to the prayer of the

petitioner; which was read the first time and ordered to a second reading on to-morrow.

Mr. Edwards, having obtained leave, presented the petition of J. Wilson and others, praying for a part of Martin county to be attached to the county of Dubois; which was read, and on

Motion,

Referred to the committee on the petition of Ewing and others, and on

Motion,

Mr. Johnson was added to that committee.

Mr. Edwards, having obtained leave, presented the petition of William Britain and others, praying an appropriation of a part of the three per cent. fund, to a certain road therein named; which was read, and on

Motion,

Referred to the committee on state roads,

On motion of Mr. Childs,

Mr. Huston was added to the standing committee on roads.

Mr. Johnson, having obtained leave, presented the petition of Jacob Ruder and others, praying for a part of Daviess county to be attached to the county of Dubois; which was read, and on

Motion,

Referred to a select committee of Messrs. Johnson, Clendenin and Zenor; with leave to report by bill or otherwise.

On motion of Mr. Law,

The resolution heretofore introduced, appointing a select committee to enquire into the expediency of repealing the second and third sections of an act, entitled an act, for the stay of execution,—approved January 11, 1823; was taken up, and on

Motion of Mr. Jelly,

The words select committee, were stricken out, and the words committee of revision, added in its place.

Mr. Nelson, having obtained leave, introduced a bill for the amendment of an act, entitled "an act, establishing a county treasurer,"—approved January 1, 1817; which was read the first time and ordered to a second reading on to-morrow.

Mr. M'Call, from the committee to whom was referred the impeachment of Robert Oliver, trustee of the Daviess seminary fund, made report: that

They have had the same under consideration: as there is not among the said papers, any specifications preferred against the said Oliver, supported either by an affidavit or signature, they beg to be discharged from the further consideration of the subject; and on

Motion,

The House concurred in the report of the committee, and they were accordingly discharged from the further consideration of the same.

On motion of Mr. Stevens,

The orders of the day were taken up;

Whereupon,

The House resolved itself into a committee of the whole, on the message of his Excellency, the Governor:

Mr. Blake in the chair;

Whereupon, after some time spent therein,

The Speaker resumed the chair, and

Mr. Blake reported, that the committee of the whole, to whom was referred the message of his Excellency, the Governor, have according to order, had the same under consideration, made some progress therein, but not having time to go through with the same, asked leave to sit again; which was accordingly granted.

A message from the Senate by Mr. Milroy, a member:

Mr. Speaker,

The Senate concur in the resolution which originated in this House, for the appointment of a joint committee of both Houses, on the subject of the revised

code, submitted to this General Assembly, by his Excellency, the Governor, with amendments, in which they ask the concurrence of the House of Representatives, and that the Senate on their part have appointed Messrs. Milroy, Thompson, Ray, Harrison, Stapp and Graham, that committee.

And then he withdrew.

And on motion of Mr. Pennington,

The House concurred in said amendments generally.

And on motion of Mr. Stevens,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

House met pursuant to adjournment.

A message from the Senate, by Mr. Slaughter, a member:

Mr. Speaker,

I am instructed by the President of the Senate, to announce to the House of Representatives, that the Senate have passed an engrossed bill, entitled "an act, to authorize a special meeting of the board of county commissioners, for the county of Warrick," and have requested me to ask the concurrence of the House of Representatives.

Which, on motion, was read the first time—rule dispensed with, and read the second and third time and passed.

The Speaker laid before the House, the annual report of William H. Lilly, auditor of public accounts; which was read, and on

Motion,

Referred to the committee of ways and means.

The Speaker also laid before the House, the annual report of Samuel Merrill, treasurer of state; which was read, and on

Motion,

Referred to the committee of ways and means.

Whereupon, on motion of

Mr. Stevens,

The House resolved itself into a committee of the whole, on the message of the Governor;

Mr. Blake in the chair,

And after some time spent theirein,

Mr. Speaker resumed the chair,

And Mr. Blake reported, that the committee of the whole, to whom was referred the message of his Excellency, the Governor, had according to order, had the same under their consideration, and adopted sundry resolutions, as follows, to wit:

1st. *Resolved*, That that part of the message of his Excellency, the Governor, relative to the state prison, and the laws respecting the same, and the accompanying documents, be referred to the committee to whom was referred the report of George White, agent of said prison.

2d. *Resolved*, That that part of the message of his Excellency, the Governor, relative to the criminal code, and that part relative to the construction of the constitution, be referred to the judiciary committee.

3d. *Resolved*, That that part of his Excellency, the Governor's message, which relates to the state debt and revenue, and laws in relation thereto, together with the documents respecting the same, be referred to the commitee of ways and means.

4th. *Resolved*, That so much of the Governor's message as relates to the seminary funds, be referred to the committee on education.

5th. *Resolved*, That so much of the Governor's message which relates to the communication from the Governor of the state of Ohio, concerning fugitives from justice, be referred to a select committee; with leave to report by bill or otherwise.

6th. *Resolved*, That that part of the message of his Excellency, the Governor, relative to the election of electors, be referred to a select committee.

7th. *Resolved,* That so much of the Governor's message as relates to the navigation of the Wabash and Maumee rivers, be referred to a select committee; with leave to report by bill or otherwise.

8th. *Resolved,* That so much of the said communication as relates to the communications received from the Governors of New York and Georgia, be referred to a select committee; with leave to report by bill or otherwise.

In which several resolutions he asked the concurrence of the House. And

On motion,

The House concurred therein.

A message from the Senate, by Mr. Slaughter, a member:

Mr. Speaker, I am instructed by the Senate, to inform you that they have adopted the following resolution:

Resolved, That a joint committee of enrolled bills be appointed, and Messrs. Slaughter and Thompson, were appointed that committee on the part of the Senate. And on

Motion,

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, DECEMBER 5th, 1823.

House met pursuant to adjournment.

Mr. Speaker appointed the following committee on the resolutions of the committee of the whole, of yesterday:

Messrs. Stevens, Bullock and Hillis, in pursuance of the 5th resolution.

Messrs. Arion, Nelson and Burnett, in pursuance of the 6th resolution.

Messrs. M'Call, Law, Schnee, Blake and Robertson, in pursuance of the 7th resolution.

And Messrs. Murdock, Pennington and Armstrong, in pursuance of the 8th resolution.

Mr. Childs reported as follows:

The standing committee on roads, to whom was referred the petition of sundry persons of Dubois county, beg leave to report that there is no fund, commonly called the "three per cent. fund," under the controul, or at the disposal of the legislature at present; therefore the prayers of the petitioners cannot be granted; which report,

On motion,

The House concurred in.

Mr. Stevens, having obtained leave, presented the petition of John Gilleland and other citizens of Switzerland county, praying an appropriation of part of the three per cent. fund; which was read and referred to a select committee of Messrs. Stevens, Jelly, Wright, Blythe and Hillis; with leave to report by bill or otherwise.

Mr. Edwards, from the committee to whom was referred the petition of J. C. Ewing and others, reported a bill favourable to the prayer of the petitioners; which was read the first time and postponed until Monday next.

Mr. Riley, from the select committee to whom was referred the petition of Lucy Roberts, reported a bill favourable to the prayer of the petitioner; which was read the first time and ordered to a second reading on to-morrow.

Mr. Edwards from the select committee to whom was referred the petition of sundry persons of Martin and Dubois counties, reported a bill favourable to the prayer of the petitioners; which was read the first time and postponed until Monday next.

On motion of Mr. Stevens,

The House adopted the following resolutions:

Resolved, That the committee of ways and means be, and they are hereby requested to report a bill as early as possible, authorizing a loan, in such way as they may deem expedient—for such a sum as they may deem sufficient, and authorize the treasurer of state, immediately to ascertain if said loan can be procured, and on the failure thereof, to authorize the treasury department to issue the necessary amount of treasury notes.

Resolved, That the committee of ways and means be, and they are hereby requested to report a bill authorizing a partial appropriation for the state printer, at as early a day as possible.

Mr. Robertson having obtained leave, presented the petition of John Wilson and others, praying that Sugar creek may be declared navigable, from Crawfordsville to its junction with the Wabash; which was read and referred to a select committee of Messrs. Robertson, Paxton and Dixon; with leave to report by bill or otherwise.

Mr. Nelson from the committee on that subject, made the following report:

The committee to whom was referred the message of his Excellency, the Governor, relative to the revision of the laws, the revised bills and accompanying documents, and who were directed to act jointly with a similar committee on the part of the Senate, have arranged the labour of said revision, and now report the following revised bills.

1st. A bill subjecting real and personal estate to execution.

2d, To provide for the partition of real estate.

3d, Concerning proceedings in ejectment, distress for rent and tenants at will holding over.

4th, For the settlement of estates testate and intestate.

5th, Relating to crime and punishment.

6th, Regulating the practice in suits at law.

7th, For assessing and collecting a revenue.

8th, Organizing the supreme court and defining its duties and powers.

9th, Regulating the proceedings in chancery cases.

10th, Regulating prisons and prison bounds.

11th, Authorizing domestic attachments and to regulate proceedings therein.

12th, To punish unlawful gaming.

13th, A bill regulating the fees of the several officers and persons therein named.

14th, To establish a board of county commissioners.

15th, For the incorporation of county libraries.

16th, Concerning lands granted for the use of salt springs and to encourage the manufacture of salt.

17th, Establishing a county treasurer.

18th, Regulating divorces.

19th, For the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools, meeting houses or masonic lodges.

20th, Regulating grist-mills and millers.

21st, License and regulate taverns.

22d, To establish and regulate ferries.

23d, For opening and repairing public highways and roads.

24th, Authorizing the arrest and securing fugitives from justice.

25th, More effectually to prevent duelling.

26th, For the assignment of dower.

27th, Relative to fugitives from labour.

28th, Declaring certain streams therein named, public highways.

29th, Prescribing the mode of changing the venue.

30th, To provide for the commissioning of sheriffs and coroners, and to regulate their duties.

31st, To provide for the election of county and township officers.

32d, Defining the boundaries of the several counties therein named.

33d, A bill for the relief of insolvent debtors.

34th, To establish seats of justice in new counties.

35th, For the preservation of certain public lands and for organizing township schools.

36th, Respecting public seminaries and for other purposes.

37th, For the formation of the counties of Delaware and Wabash.

38th, For legalizing the board of county commissioners of Vigo county.

The committee also report a list of statutes, recommended by the revisor to be re-printed; also a list of private acts, recommended to be printed by their titles.

Mr. Armstrong asked and obtained leave to introduce a bill to amend an act, entititled "an act, to authorize the administrators of Simpson Charlton, dec'd. to re-assign a certain land certificate, for the benefit of the heirs of said Charlton dec'd.;" approved January 9th, 1823. Which bill was introduced and read the 1st time and ordered to a 2d reading to-morrow.

On motion, the orders of the day were taken up.

The bill divorcing Nancy League from her husband Green B. League, was read the 2d time and ordered to be engrossed for a 3d reading on to-morrow.

The bill for the formation of a new county out of the counties of Randolph and Delaware, was read 2d time and committed to the committee of the whole, and made the order of the day for Monday next.

The bill to change the state road leading from New-Albany to Princeton, was read the 2d time and ordered to be engrossed for a 3d reading to-morrow.

The bill dissolving the bans of matrimony between Willis Kelly and Dardania his wife, was read the 2d time and ordered to be engrossed for a 3d reading on to-morrow.

A message from the Senate by Mr. Stapp a member:

I am instructed to inform the House of Representatives that the Senate have passed an engrossed bill, en-

titled "an act to legalize the marriage of William Field, to Elizabeth Arbuckle; which was read the first time and ordered to a second on to-morrow.

An engrossed bill to confirm the sales of certain real estate, made by the administrators of Henry Vanderburgh, deceased; was read the third time and passed, and ordered that it be entitled "an act," and that the Senate be informed thereof.

The engrossed bill, entitled "an act in addition to the act authorizing the laying off certain state roads in this state, and appropriating $100,000 of the fund commonly called the three per cent. fund, for opening the same,—approved December 31st, 1821;" which was reported by the committee on unfinished business, as part of the unfinished business of last session; was read second time and ordered to lie on the table.

The bill for the benefit of John Upp and Ezekias Smith; was read second time and ordered to be engrossed for a third reading on to-morrow.

The bill to dissolve the bans of matrimony between Abraham S. Barr and Ursula his wife, late Ursula Wood; was read second time and ordered to be engrossed for third reading on to-morrow.

A message from the Senate by Mr. Gregory, a member:

Mr. Speaker,

The Senate have passed an engrossed bill, entitled "an act for the re-appointment of Hamilton county commissioners;"

Which was read the first time and ordered to be read a second time on to-morrow.

Mr. Nelson from the joint committee for enrolled bills, reported:—

That the said committee had compared the enrolled with the engrossed bill, entitled "an act to provide for a special session of the board of county commissioners of Warrick county;" which originated in the Senate nd foun d the same truly enrolled.

The bill, entitled a bill, in further amendment of the act establishing a county treasurer and for other purposes; was read second time, and on motion,

Ordered to lie on the table.

A bill subjecting real and personal estate to execution; a bill to provide for the partition of real estate; a bill concerning proceedings in ejectment, distress for rent and tenants at will holding over; a bill for the settlement of estates testate and intestate; a bill relating to crimes and punishments; a bill regulating the practice in suits at law; a bill organizing the supreme court and defining its duties and powers; were severally read the first time and ordered to be read a second time on to-morrow.

The bill for assessing and collecting revenue was, on motion, referred to the committee of ways and means.

Mr. Dixon from the select committee to whom was referred the petition of Norman W. Pearce and others, praying for the re-location of the seat of justice of Greene county, reported a bill favourable to the prayer of the said petitioners; which was read the first time and ordered to second on to morrow.

On motion of Mr. Bullock,

Resolved, That the doorkeeper be authorized to procure an additional bench, for the use of the House of Representatives, and two other benches of a cheap kind, for the accommodation of spectators in the lobby.

On motion of Mr. Childs,

Mr. Hillis was added to the standing committee on roads.

Mr. Nelson made the following report:

Mr. Speaker, the joint committee of enrolled bills, did on this day, present to his Excellency, the Governor, an enrolled bill, entitled "an act to authorize a special meeting of the board of county commissioners of Warrick county," for his approval and signature.

Whereupon, on motion, the House adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, DECEMBER 6th, 1828.

The House met pursuant to adjournment.

Mr. Everts, having obtained leave presented the petition of James Leviston, and others, citizens of Union County, praying for certain relief therein named; which was read and referred to a select committee of Messrs. Everts, Blythe and Hill, with leave to report by bill or otherwise.

Mr. Hendricks, having obtained leave, presented the petition of Hiram Dayton and others, praying a law to pass declaring big Flat-rock navigable as far as the mouth of little Flat-rock; which was read and referred to the committee of revised bills.

Mr. Pennington, from the select committee to whom was referred the petition of Jacob Kintner, and others, reported a bill favourable to the prayer of the petitioners; which was read the first time and ordered to a second reading on Monday.

On motion of Mr. Hillis,

The following resolution was adopted,

Resolved, That the Judiciary committee, be instructed to enquire into the expediency of providing by law that the plaintiff in certain cases be required to give security for costs.

On motion of Mr. Evans, the following resolution was adopted,

Resolved, That the committee of Ways and Means be authorized to call on the Auditor of Public Accounts and Treasurer of State for such information as they may deem necessary. Also, that they be authorized to inspect the papers and documents belonging to said offices, in such manner, and at such times as the committee may deem advisable.

Mr. Arion, having obtained leave, presented the petition of Jacob Stucker, of Jefferson county, praying for certain relief therein named; which was read and referred to a select committee of Messrs. Arion, Mar-

shall and Huston, with leave to rebort by bill or otherwise.

On motion of Mr. Nelson,

The following resolutions were adopted :—

Resolved, That a standing committee of claims and accounts be appointed.

Resolved, That all claims and accounts of individuals presented by memorial or petition to the House, be referred to the committee of claims and accounts.

On motion of Mr. Evans,

Resolved, That this House do now go into the election of an assistant engrossing and enrolling clerk, but that such clerk when elected, shall not be called into the service and pay of this House unless his services cannot be dispensed with; which resolution was ordered to lay on the table.

On motion of Mr. Bullock,

The orders of the day were taken up.

The bill for attaching a part of the county of Perry, to the county of Spencer was taken up, read the second time, referred to a committee of the whole House and made the order of the day for Wednesday next.

The bill for attaching part of the county of Martin to the county of Dubois, which was made the order of the day for Monday next by consent, was taken up, read the second time and referred to a committee of the whole House and made the order of the day for Wednesday next.

The bill to amend an act, entitled "an act" to authorize the administrators of *Simpson Charlton*, dec'd. to reassign a certain certificate for land, for the benefit of the heirs of the deceased, was read the second time and ordered to be engrossed for a third reading on Monday next.

The bill for the benefit of the heirs of Jesse Roberts, dec'd.; was read the second time and ordered to be engrossed for a third reading on Monday next.

The engrossed bill for the re-appointment of Hamil-

ton county commissioners, was read a second time and ordered to a third reading on Monday next.

The bill for the re-location of the seat of Justice of Greene county, was read the second time and referred to a committee of the whole House and made the order of the day for Monday next.

The bill subjecting real and personal estate to execution, was read a second time by its title and referred to the Judiciary committee with leave to report.

The engrossed bill to legalize the marriage of William Field to Elizabeth Arbuckle, was read and referred to a select committee of Messrs. Blake, Arion, and Pennington, with leave to report by bill or otherwise.

The bill providing for the partition of real estate, was read the second time by its title, and referred to a committee of the whole House, and made the order of the day for Monday next.

The bill concerning proceedings in ejectment, distress for rent, and tenants at will holding over, was read the second time and referred to a committee of the whole House, and made the order of the day for Monday next.

The bill for the settlement of estates testate, and intestate, was read the second time by its title, and referred to the Judiciary committee.

The bill regulating the practice of suits at law, was read the second time by its title, and referred to the Judiciary committee, with leave to report thereon.

The bill relative to crime, and punishment, was read the second time by its title and referred to the committee of the whole and made the order of the day for Friday next.

And on motion,

Ordered, That one hundred copies of the same be printed.

The bill for the formation of a new county out of the counties of Delaware and Randolph, which was refer-

red to the committee of the whole and made the order of the day for this day, was taken up;

Whereupon,

The House resolved itself into a committee of the whole House on said bill.

Mr. Murdock in the chair,

And after some time spent therein the Speaker resumed the chair;

And Mr. Murdock reported: That the committee of the whole to whom was referred the bill for the formation of a new county out of the counties of Delaware and Randolph had, according to order, had the same under consideration, made several amendments thereto, and asked the concurrence of this House; which report the House accordingly concurred in.

Whereupon,

Mr. Pennington moved that the further consideration of said bill be postponed until the first Monday in December next, which motion was decided in the negative ; and the ayes and noes being called for by Messrs. Pennington and Blake, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blythe, Bowers, Childs, Irwin, Milbourn, Pennington, Reed, Tadlock and Zenor—9.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blake, Brownlee, Bullock, Burnett, Clark, Clendeniu, Dixon, Edwards, Evans, Everts, Hill, Hillis, Hendricks, Huston, Jelly, Johnson, Jones, Kennedy, Law, Lomax, Marshall, Murdock, Nelson, Oliver, Palmer, Paxton, Riley, Robertson, Schnee, Stevens, Wright, Williams and Mr. Speaker—35.

The bill was accordingly ordered to be engrossed for a third reading on Monday next.

On motion,
The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

Mr. Arion from the committee to whom was referred the petition of Jacob Stucker reported a bill favourable to the prayer of the petitioner; which was read the first time and ordered to a second reading on Monday next.

The bill to dissolve the bans of matrimony between Nancy League and Green B. League her husband, was read the third time and passed.

And on that question, the ayes and noes being called for by two members, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Blake, Blythe, Bowers, Brownlee, Burnett, Childs, Dixon, Edwards, Everts, Hillis, Hendricks, Jelly, Jones, Kennedy, Marshall, M'Call, Murdock, Oliver, Pennington, Reed, Tadlock, and Mr. Speaker—22.

And those who voted in the negative were,

Messrs. Bullock, Clark, Clendenin, Hill, Huston, Irwin, Lomax, Milbourn, Nelson, Palmer, Robertson, Riley, Schnee, Wright, Williams and Zenor—17.

Ordered, That it be entitled "An Act," and that the Senate be informed thereof.

The engrossed bill to dissolve the bans of Matrimony between Willis Kelly and Dardania his wife, was read the third time and passed.

Ordered, That it be entitled "an act," and that the Senate be informed thereof.

On motion,
The House adjourned until Monday morning 9 o'clock.

MONDAY MORNING, DECEMBER 8th, 1823.

The House met pursuant to adjournment.

On motion of Mr. Evans,

A bill authorizing a state road from Rome to Paoli; was read the first time and ordered to a second reading on to-morrow.

Mr. Stevens having obtained leave, presented the petition of William C. Keen and others, and Larkin Cook and others, praying that a part of the county of Ripley, may be attached to the county of Switzerland; which was read and referred to a select committee of Messrs. Stevens, Hill and Clark; with leave to report by bill or otherwise.

The bill reported to this House by the committee of unfinished business, for attaching a part of the county of Ripley, to the county of Switzerland; was also referred to the last mentioned committee, with leave to report thereon.

Mr. Stevens from the select committee to whom was referred the petition of John Gilleland and other citizens of Switzerland county, praying for a special appropriation of part of the fund, commonly called the three per cent. fund, for purposes in said petition named, reported a bill favourable to the prayer of the petitioners; which was read the first time and ordered to a second reading on to-morrow.

Mr. Stevens having obtained leave, presented the petition of John James Dufour and John Francis Dufour, of Switzerland county, praying for certain relief therein named; which was read and ordered to lay on the table.

The bill for the formation of a new county out of the county of Parke, reported to this House by the committee of unfinished business, was taken up, read and ordered to lay on the table.

On motion of Mr. Evans,

The following resolution was adopted:

Resolved, That the committee of ways and means be, and they are hereby authorized to employ the honourable Isaac Blackford, as a bookkeeper and accountant, to go into the offices of the auditor and treasury departments severally, and examine into such part of the books, returns, vouchers and papers thereof, from the commencement of the state government, up to this day, as said committee may desire, and report the true balance of each and every account to said committee in due form.

A message from the Senate by Mr. Sholtz, a member;

Mr. Speaker,

I am instructed by the Senate, to inform the House of Representatives, that they have passed an engrossed bill, confirming the sales of certain real estate, made by the administrators of Henry Vanderburgh, late of Knox county, deceased; which originated in this House, without amendment.

Mr. Evans having obtained leave, presented the petition of Garret Perkins and James Rague, of Switzerland county, praying certain relief; which was read and ordered to lay on the table.

Mr. Huston having obtained leave, presented the petition of Joshua Thompson and others, praying a change in the state road leading from New Albany by Salem, to Rome; was read and referred to the standing committee on roads.

The Speaker laid before the House the following communication, from R. A. New, Esq. Secretary of state.

SECRETARY'S OFFICE, DEC. 8th, 1823.

To the honourable the Speaker of the House of Representatives.

SIR,

In conformity to an act, entitled "an act to authorize the qualified voters of this state, to vote for or

against a convention, for the revision of the constitution of this state," I have the honour to transmit to you, an extract from the returns made to this office, of the votes taken for and against a convention, in the following counties, to wit:

	CONVENTION.	NO CONVENTION
From the county of Floyd,	113	318
Wayne,	72	1,664
Dearborn,	75	1,649
Vigo,	56	282
Franklin,	26	1,056
Parke,	44	258
Johnson,	00	66
Montgomery,	6	77
Morgan,	16	172
Spencer,	186	69
Owen,	33	183
Washington,	233	1,291
Fayette,	20	685
Greene,	20	312
Decatur,	43	208
Rush,	27	305
Switzerland,	40	602
Crawford,	85	139
Pike,	50	170
Orange,	468	132
Martin,	75	96
Harrison,	208	736
Hamilton,	00	86
Shelby,	16	225
Knox,	353	345
Gibson,	215	186
Ripley,	62	396
Marion,	56	268

Total against a convention, 11,991—in favour of a convention, 2,601.

No returns have been received from other counties.

I have the honour to be,

Very respectfully,

Your ob't serv't.

R. A. NEW.

Mr. Hillis from the select committee to whom was referred the petition of William Jackson, of Monroe county, reported a bill favourable to the prayer of the petitioner; which was read the first time and ordered to a second reading on to-morrow.

The Speaker laid before the House the following communication, from Samuel Merrill, treasurer of state; which was read and referred to the committee of ways and means.

TREASURY DEPARTMENT, DEC. 6th, 1823.

SIR,

In addition to the communication made on the 4th instant, I deem it my duty to make known to the House, some circumstances which could not properly be detailed in the annual report. The late treasurer, at the time of delivering the books to me, claimed the right to pay over on the state debt, a quantity of state bank paper in his hands, and as a committee of the House last year had seemed to recognize the above claim, he did not at that time settle in full for the sum that appeared by the books to be due from him. But no provision on this subject being made by the last legislature, a demand was afterwards made on him for $983 60, the balance in his hands. This he was willing to pay in state bank paper, but not considering myself authorized to take it, suit was commenced against him on his bond, by the attorney general. This suit is still depending. Some errors have crept into the books of the department, by reason of which the real situation of the financial concerns of the state does not appear. It would be desirable that the committee of ways and means, should be directed to examine the subject and authorize the correction of erroneous entries. Justice to the late treasurer, requires that I should add, that he does not appear to be a gainer by the mistakes alluded to.

I have the honour to be, &c.

SAMUEL MERRILL.

THE SPEAKER, &c.

The House proceeded to consider the orders of the day.

The bill to appoint commissioners to review the state road, leading from Mauk's ferry to Indianapolis; was read the second time and referred to the committee of the whole House, and made the order of the day for to-morrow.

The bill for the relief of Jacob Stucker; was read the second time and referred to the committee of claims and accounts.

The Speaker appointed Messrs. Nelson, Hillis and Johnson, a committee of claims and accounts.

The engrossed bill for changing a part of the state road, leading from New Albany to Princeton; was read the third time and passed.

Ordered that it be entitled an act, and that the Senate be informed thereof.

The engrossed bill for the benefit of John Upp and Ezekias Smith; was read the third time and passed.

Ordered that it be entitled "an act," and that the Senate be informed thereof.

The engrossed bill to amend an act, entitled "an act to authorize the administrators of Simpson Charlton, deceased, to reassign a certain land certificate, for the benefit of the heirs of the deceased,"—approved January 9th, 1823; read the third time and passed.

Ordered that it be entitled "An act," and that the Senate be informed thereof.

The engrossed bill for the benefit of the heirs of Jesse Roberts, deceased; was read the third time and passed.

Ordered that it be entitled "An act," and that the Senate be informed thereof.

The engrossed bill for the re-appointment of Hamilton county commissioners; was read the third time and passed.

Ordered that it be entitled "An act," and that the Senate be informed thereof.

The bill for the re-location of the seat of justice of Greene county, was taken up, and referred to the committee of the whole House, and made the order of the day for this day.

The House according to order, now resolved itself into a committee of the whole, on the bill for the re-location of the seat of justice of Greene county.

Mr. Evans in the chair,

After some time spent therein,

The Speaker resumed the chair, and

Mr. Evans reported that the committee of the whole had, according to order, had said bill under consideration, and had directed him to report the same without amendment.

Ordered that it be engrossed for a third reading on to-morrow.

On motion,

James M. Ray, enrolling clerk elect to this House, was called in and sworn into office, by the honourable Isaac Blackford, one of the judges of the supreme court of this state.

On motion of Mr. Evans,

The House adjourned until 3 o'clock P. M.

3 o'clock P. M.

The House assembled.

Mr. Law from the committee of ways and means, who were directed by a resolution of this House on Saturday last, to enquire into the expediency of making a loan for the use of the state, reported a bill authorizing a loan for the use of the state; which was read the first time—rule dispensed with and read the second time by its title, and referred to the committee of the whole House, and made the order of the day for this day.

The House according to order, now resolved itself into a committee of the whole on the last mentioned bill.

Mr. Wright in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Wright reported, that the committee of the whole had, according to order, had the said bill under consideration and had made some amendments to the same, in which he requested the concurrence of this House.

On motion,

The House concurred in said amendments generally.

And ordered that said bill be engrossed for a third reading on to-morrow.

And the House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, DECEMBER 9th, 1823.

House met pursuant to adjournment.

On motion of Mr. Murdock,

The following resolution was adopted:

Resolved, That a select committee be appointed to inqure into the expediency of granting a bounty on Wolf scalps, and that they have leave to report by bill or otherwise.

MESSRS. Murdock, Hendricks, and Paxton, were appointed that committee.

Mr. Childs, having obtained leave, laid before the House a remonstrance of sundry citizens of Washington and Lawrence counties, against a change in the state road from New-Albany by Salem to Bono;

Which was read and referred to the committee on roads.

Mr. Stevens, from the select committee on that subject, reported a bill for re-attaching part of what is now the county of Ripley, to the county of Switzerland; which was read the first time and ordered to a second reading on to-morrow.

Mr. Law, having obtained leave, presented the petition of the heirs of the late Henry Vanderburgh, dec'd: which was read and referred to the Judiciary committee.

On motion of Mr. Evans,

The committee of Ways and Means were discharged from the further consideration of the petition of Peter Barbee; and the same was referred to the standing committee of claims and accounts.

On motion,

Mr. Stevens, was added to the committee to whom was referred the report of George White, agent of the Penitentiary at Jeffersonville.

The Speaker, laid before the House the report of Stephen Ranney, for materials found &c. for the use of the Penitentiary; which was read & referred to the committee to whom was referred the report of George White.

Mr. Pennington, having obtained leave, presented the petition of Reasin Jones, praying to be divorced from his wife Susan, late Susan Coosenbury; which was read and laid on the table.

Mr. Blake, from the Judiciary committee, to whom was referred the petition of W. C. Linton and others, relative to firing prairies, reported a bill favourable to the prayer of the petitioners; which was read, and ordered to lay on the table.

Mr. Nelson having obtained leave, presented the petition of Henry Fulton, which was read, and with accompanying documents, referred to the committee of claims and accounts: and also, the petition of Ira Westover, which was read, and referred to the committee to whom was referred the report of George White, agent of the Penitentiary.

Mr. Blake, having obtained leave, presented the several petitions of James Blair and others; John Maxadon and others; George Sargeant and others; Abraham Stipp and others, and John Bean and others, praying for the formation of a new county west of the

Wabash river; which was read, and referred to a select committee of Messrs. Blake, Palmer, Robertson and M'Call.

And on motion,

The bill of the last session of this Legislature on the above subject, was referred to the above committee, with leave to report thereon by bill or otherwise.

Mr. Blake having obtained leave, presented the remonstrance of W. C. Linton and others, against the formation of a new county, west of the Wabash; which was read, and referred to the last mentioned committee.

Mr. Blake having obtained leave, also presented the petition of Jane Southard, praying to be divorced from her husband George Southard; which was read and ordered to lay on the table.

On motion of Mr. Hill,

Mr. Marshall was added to the committee on Judiciary affairs.

Mr. Arion, from the committee to whom was referred the petitions of sundry citizens of Jefferson, Ripley and Decatur counties, reported a bill favourable to the prayer of the petitioners; which was read the first time, and ordered to a second on to-morrow.

Mr. Paxton from the committee to whom was referred the petition of Robert Culbertson, and others, reported a bill favourable to the prayer of the petitioner; which was read the first time, and ordered to be read a second time on to-morrow.

On motion of Mr. Nelson,

The following resolution was adopted:

Resolved, That the committee on the report of George White, be authorized to receive and examine such papers and documents, as may be laid before them, in relation to the state prison at Jeffersonville, without the formality of passing them through the House. And that the said committee be *required*, to *inquire* into the expediency of amending the law now in force, authorizing the building of a state prison, and for other purposes, and report by bill or otherwise.

Mr. Robertson, from the committee to whom was referred the petition of John Wilson, and others, reported a bill declaring Sugar creek, or Rock river, navigable; which was read the first time, and ordered to a second reading on to-morrow.

Mr. Blake having obtained leave, presented the remonstrance of R. Manwaning and others, citizens of Parke county, against declaring Sugar creek, or Rock river, a navigable stream; which was read, and referred to the committee, to whom was referred the petition of John Wilson, and others.

The House proceeded to consider the orders of the day.

The House now according to order, resolved itself into a committee of the whole, on the bill for the partition of real estate; which was made the order of the day, for this day;

Mr. Pennington in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Pennington reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made several amendments to the same, in which he requested the concurrence of the House.

On motion,

The House concurred in said amendments generally.

Ordered, that it be engrossed for a third reading on to-morrow.

The House now, according to order, resolved itself into a committee of the whole, on the bill concerning proceedings in ejectment, distress for rent, and tenants at will holding over; which was referred to the committee of the whole, and made the order of the day, for this day;

Mr. Bullock in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Bullock reported, that the committee of the whole had, according to order, had said bill under consideration, and had gone through the same, and directed him to report the same without amendment.

Ordered, That the same be engrossed for a third reading on to-morrow.

A message was received from his Excellency the Governor, through his private secretary Mr. Payne, enclosing a communication directed to him from the Legislature of Tennessee, on the subject of congressional caucuses; which was read, and by the request of his Excellency communicated to the Senate.

On motion,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

Mr. Everts, from the select committee on the petition of James Leviston, of Union county, reported a bill favourable to the prayer of the petitioner, which was read the first time, and ordered to a second reading on to-morrow.

On motion of Mr. Pennington, the House proceeded to consider the orders of the day.

The bill in addition to an act, entitled "An act, authorizing the laying off certain state roads in this state," approved, December 31st 1821; was read the second time, and ordered to a third reading on to-morrow.

The bill for the special appropriation of a part of the fund commonly called the three per cent. fund, on a road to be laid off. from Lawrenceburgh to Madison, by the way of Rising Sun, and Vevay; was read the second time, and ordered to be engrossed for a third reading on to-morrow.

The bill for the relief of William Jackson, was read the second time, and ordered to be engrossed for a third reading on to-morrow.

The engrossed bill for the formation of a new county, out of the counties of Delaware and Randolph, and the engrossed bill for the re-location of the seat of justice of Greene county; were severally read the third time, and passed.

Ordered, That they each be entitled "An act;" and that the senate be informed thereof, and their concurrence requested.

The engrossed bill, to authorize a loan for the benefit of the state, was read the third time, and ordered to lay on the table.

The House now according to order, resolved itself into a committee of the whole, on the bill to appoint commissioners to review a part of the state road, leading from Mauk's ferry to Indianapolis; which was referred to the committee of the whole, and made the order of the day, for this day;

Mr. Arion in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Arion reported, that the committee of the whole had, according to order, had the said bill under consideration, had gone through the same, and made one amendment thereto, in which he desired the concurrence of the House.

On motion,

The House concurred in said amendment, and

On motion,

The further consideration of said bill was postponed, until the first Monday in January next.

Mr. Robertson having obtained leave, presented the petition of George Kirkpatrick, and others; which was read, and referred to the same committee, to whom was referred the petition of James Blair and others, with leave to report thereon by bill or otherwise.

On motion, the house adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, DECEMBER 10th, 1828.

House met pursuant to adjournment.

Mr. Edwards having obtained leave, presented the petition of Stephen Chenault, praying a law to pass authorizing the circuit court of Perry county, to lay an additional tax on said county, for his benefit; which was read and referred to a select committee of Messrs. Pennington, Dixon, Schnee and Evans; with leave to report thereon by bill or otherwise.

Mr. Irwin having obtained leave, presented the petition of John Roe, praying to be divorced from his wife Eleanor, late Eleanor Dodd; which was read and ordered to lay on the table; with leave to withdraw his petition.

Mr. Arion from the joint committee of enrolled bills, made the following report:

Mr. Speaker,

The joint committee of enrolled bills, have compared the enrolled with the engrossed bill, to confirm the sales made by the administrators of Henry Vanderburgh, late of Knox county, deceased, and find the same truly enrolled.

Mr. Evans from the committee of ways and means, to whom was re-committed the bill authorizing a loan for the use of the state, reported a bill authorizing a loan for the use of the state; which was read the first time—rule dispensed with, and read a second time, and referred to the committee of the whole, and made the order of the day for this evening.

Mr. Arion from the joint committee of enrolled bills, made the following report:

Mr. Speaker,

The joint committee of enrolled bills, have compared the enrolled with the engrossed bill, for the re-appointment of Hamilton county commissioners, and find the same truly enrolled.

Mr. Blake from the select committee to whom was

re-committed the bill for legalizing the marriage of William Field, to Elizabeth Arbuckle, reported a bill with amendments, favourable to the prayer of the petitioner; which report the House concurred in and ordered to a third reading on to-morrow.

Mr. Johnson made the following report:

Mr. Speaker,

The committee to whom was referred the petition of Jacob Ruder and others, praying a part of Daviess county to be attached to Dubois county, have had the same under consideration, and are of opinion, the prayer of the petitioners cannot be granted; and

On motion,

The House concurred in the report of the committee.

Mr. Hill made the following report:

The committee to whom was referred the petition of John M'Clean and others, praying for compensation for opening a road from Wayne county to Fort Wayne, have had the same under consideration, and have instructed me to report, that it is inexpedient to grant the request of said petitioners; and

On motion,

The House concurred in the report of the committee.

Mr. Paxton from the select committee to whom was referred the petition of John M'Cormick and others, reported a bill favourable to the prayer of the petitioners; which was read the first time and ordered to a second reading on to-morrow.

Mr. Hillis presented a joint resolution on the subject of taxing certain lands within this state; which was read the first time and ordered to a second reading on to-morrow.

On motion of Mr. Nelson,

Resolved, That the committee of ways and means be instructed to prepare and report a bill, authorizing the funding of the state debt; which was read and ordered to lie on the table.

The House then proceeded to consider the orders of the day.

The bill organizing the supreme court and defining its duties; was read the second time and referred to the committee of the whole, and made the order of the day for to-morrow.

The bill to re-attach a part of what is now the county of Ripley, to the county of Switzerland, was taken up, and

On motion of Mr. Kennedy,

Was indefinitely postponed.

The bill to repeal the act, supplemental to an act, entitled "An act regulating the firing of woods, prairies and other lands;" was read the second time and was ordered to be engrossed for a third reading on to-morrow.

The bill establishing a permanent state road, from Madison, through Millersburgh to Greensburgh; was read the second time and referred to the committee of the whole, and made the order of the day for Saturday next.

The bill authorizing Robert Culbertson and others, to erect a mill-dam across a part of White River; was read the second time and referred to a committee of the whole House, and made the order of the day for to-morrow.

The bill declaring Sugar creek or Rock river, navigable; was read the second time and referred to a committee of the whole House, and made the order of the day for the 18th instant.

The bill for the relief of James Leviston, clerk of the circuit court of Union county; was read the second time and ordered to be engrossed for a third reading on to-morrow.

The engrossed bill in addition to an act, entitled "An act authorizing the laying off certain state roads in this state, and appropriating $100,000 of the fund commonly called the three per cent. fund, for opening

the same,"—approved December 31st, 1821; was read the third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof.

A message from the Senate by Mr. Milroy, a member:

Mr. Speaker,

The Senate have adopted the following resolution:

Whereas the constitutional term of service, of the president judges of the first, second and third judicial circuits will expire on the 18th instant, therefore,

Resolved by the Senate, (the House of Representatives concurring therein,) that the Senate will meet the House of Representatives, in their chamber, on the 12th instant, at 3 o'clock P. M. for the purpose of electing three president judges, to fill the vacancies that will take place on the 18th instant, as above stated.

The bill concerning proceedings in ejectment, distress for rent and tenants at will holding over; was read the third time and passed. And

Ordered That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The bill providing for the partition of real estate; was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof and their concurrence requested.

The engrossed bill for an appropriation of a part of the three per cent. fund and other purposes, on a road to be laid off, from Lawrenceburgh to Madison, by the way of Rising Sun and Vevay; was read the third time and passed.

Ordered That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill for the relief of William Jackson; was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

The House according to order, now resolved itself into a committee of the whole, on the bill for attaching a part of the county of Perry, to the county of Spencer;

Mr. Jelly in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Jelly reported: that the committee of the whole had, according to order, had the said bill under consideration, had gone through the same, and had made several amendments thereto, in which he desired the concurrence of the House.

On motion,

The House concurred in said amendments generally; and

On motion,

The further consideration of the said bill was indefinitely postponed.

The House now according to order, resolved itself into committee of the whole, on the bill for attaching a part of the county of Martin to the county of Dubois;

Mr. Law in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Law reported, that the committee of the whole had, according to order, had the said bill under consideration, had gone through with the same, and made an amendment thereto, in which he desired the concurrence of the House.

On motion,

The House concurred in said amendment; and

On motion of Mr. Evans,

The further consideration of said bill was indefinitely postponed.

The House according to order, now resolved itself into a committee of the whole, on the bill authorizing a loan for the use of the state;

Mr. Hillis in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hillis reported, that the committee of the whole had, according to order, had the said bill under consideration, had gone through the same, and had made several amendments thereto, in which he desired the concurrence of the House. And

On motion,

The House concurred in the amendments generally.

Ordered, That said bill be engrossed for a third reading on to-morrow.

Mr. Blake from the select committee to whom was referred the petitions of sundry persons, praying the formation of a new county west of the Wabash, reported a bill favourable to the prayer of the petitioners—which was read the first time, and ordered to a second reading on to morrow.

The bill authorizing circuit courts, and defining their powers and duties, was read the first time, and ordered to a second reading on to-morrow.

The bill to establish courts of probate, was read the first time, and ordered to a second reading on to-morrow.

The House adjourned until to-morrow morning, 9 o'clock.

THURSDAY MORNING, DECEMBER 11, 1823.

The House met pursuant to adjournment.

Mr. Arion reported, that the joint committee of en-

rolled bills did, on yesterday, present to his Excellency the Governor for his approval and signature, "An act to confirm the sales made by the administrators of Henry Vanderburgh, late of Knox county, deceased; and, an act for the re-appointment of Hamilton county commissioners."

The House proceeded to consider the orders of the day.

The bill for the formation of a new county, west of the Wabash, was read the second time, and refered to the committee of the whole, and made the order of the day for to-morrow.

The bill authorizing John M'Cormick, to erect a mill dam across White river, above Indianapolis, was read the second time and referred to a committee of the whole, and made the order of the day for to-morrow.

The bill to establish courts of probate, was read the second time, and referred to the Judiciary committee.

The bill organizing circuit courts, and defining their powers and duties, was read the second time, and referred to the Judiciary committee.

The engrossed bill entitled an act, supplemental to an act, entitled "An act," to regulate marriages: was read the third time, and ordered to lie on the table.

The House now according to order, resolved into a committee of the whole, on the bill organizing the supreme court, and defining its powers and duties.

Mr. Reed in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Reed reported, that the committee of the whole had, according to order, had said bill under consideration, had gone through the same, and had made several amendments thereto, in which he desired the concurrence of the House.

On motion,

The House concurred in said amendments generally.

The House according to order, now resolved itself

into a committee of the whole, on the bill authorizing Robert Culbertson and others, to erect a mill-dam across a part of White river;

Mr. Childs in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Childs reported, that the committee of the whole had, according to order, had the said bill under consideration, had gone through with the same, and directed him to report the same without amendment.

And on motion,

Ordered to lie on the table.

The engrossed bill, authorizing a loan for the use of the state, and the engrossed bill for the benefit of James Leviston, clerk of Union county, were severally read the third time and passed.

Ordered, That they each be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill to repeal an act, supplemental to an act, entitled "An act," regulating firing woods, prairies and other lands, was read the third time, and ordered to lie on the table.

The Speaker laid before the House, the report of John Vawter, trustee of the Jenning's seminary fund, James R. Nance, trustee of the Floyd seminary fund, Jacob Hogan, trustee of the Bartholomew seminary fund, John F. Siebenthal, trustee of the Switzerland seminary fund, and of Beal Butler, trustee of the Wayne seminary fund; which were severally read, and referred to the standing committee on education.

On motion,

The House adjourned until 2 o'clock P. M.

2 *o'clock P. M.*

The House assembled.

The joint resolution introduced by Mr. Hillis, on yesterday, on the subject of taxing certain lands in this state, was read the second time, and referred to a se-

lect committee of Messrs. Evans, Hillis and Burnett; with leave to report thereon.

A bill regulating the proceedings in chancery cases, was read the first time—rule dispensed with, and read the second time, and on motion, referred to the Judiciary committee.

A bill regulating prisons, and prison bounds, was read the first time—rule dispensed with, and read the second time, and referred to the committee of the whole, and made the order of the day for to-morrow.

A message from the Senate by Mr. Ray, a member:

Mr. Speaker,

I am instructed by the Senate, to inform the House of Representatives, that the Senate have passed an engrossed bill without amendment, for the relief of James Leviston, clerk of Union county, which originated in the House of Representatives, and then he withdrew.

A bill authorizing domestic attachments, and to regulate proceedings therein, was read the first time—rule dispensed with, and read the second time, and referred to the committee of the whole, and made the order of the day for to-morrow.

A bill to prevent unlawful gaming, was read the first time—rule dispensed with, and read the second time, and referred to the committee of the whole, and made the order of the day for to-morrow.

A bill regulating the fees of the several officers, and persons therein named, was read the first time—rule dispensed with, and read the second time, and referred to a select committee of Messrs. Evans, Armstrong, Jelly, Blake, Nelson, Pennington and Stevens, with leave to report thereon by bill or otherwise.

Mr. Murdock having obtained leave, presented the memorial of the licensed practitioners of medicine and surgery, in the second medical district of the State Medical Society of Indiana; which was read, and

referred to a select committee of Messrs. Murdock, Everts, Childs and Oliver.

The committee of revised bills, to whom was referred the petition of Benjamin M'Carty and others, were on motion, discharged from the further consideration of the same, and

On motion,

The said petition was referred to the committee of claims and accounts.

Mr. Irwin having obtained leave, presented the petition of Daniel Zieglier, praying certain relief therein named, which was read and referred to the committee of claims and accounts.

Mr. Evans having obtained leave presented the petition of John T. Chunn, which was read and referred to a select committee of Messrs. Evans, Blake, M'Call and Dixon.

Whereupon,

On motion,

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, DECEMBER 12th, 1828.

The House met pursuant to adjournment.

Mr. Oliver having obtained leave, presented the petition of William Youse, late sheriff of Union county, praying for certain relief; which was read and referred to the committee of claims and accounts.

Mr. Pennington from the select committee to whom was referred the petition of Stephen Chenault, reported a bill favourable to the prayer of the petitioner; which was read the first time and ordered to a second reading on to morrow.

Mr. Blake from the select committee to whom was referred the petition of sundry persons, praying the formation of a new county west of the Wabash: reported

a bill attaching a part of the counties of Montgomery and Putnam, to the county of Parke; which was read the first time—rule dispensed with and read a second time and referred to the committee of the whole, and made the order of the day for to-morrow.

Mr. Evans from the committee of ways and means, laid before the House sundry claims on the state, which hadbeen presented to the committee of ways and means, by his Excellency the Governor.

On motion,

The claim of Charles Dewey, for attorneys' fees in the case of the state of Indiana *vs.* the bank of Vincennes, on a quo warranto directed against its charter: was referred to the committee of claims and accounts. And the claim of Ebenezer Patrick for conducting prisoners, that had escaped from the prison at Jeffersonville, back again to prison, was

On motion,

Referred to the commitee to whom was referred the report of George White.

On motion of Mr. Murdock,

Resolved, That a committee be appointed to examine and destroy all useless papers now on file in the chest, containing papers belonging to this House, and Messrs. Murdock, Arion and Stevens were appointed that committee.

Mr. Arion, from the committee to whom was referred the petition of sundry persons in the town of Madison, praying an act to pass, incorporating said town, reported a bill favourable to the prayer of the petitioners; which was read the first time and ordered to a second reading on to-morrow.

A message from the Senate by Mr. Chambers, a member:

Mr. Speaker,

I am instructed to inform the House of Representatives, that Mr. Chambers has been appointed a teller on the part of the Senate, for conducting the electon of

the three president judges, for the first, second and third judicial circuits, and he then withdrew.

The bill authorizing the supreme court, and defining its powers and duties, was taken up, and the amendments in the committee of the whole on yesterday, concurred in generally.

A message from the Senate by Mr. Gregory a member.

Mr. Speaker,

I am instructed to inform the House of Representatives, that they have passed an engrossed bill, divorcing Thomas P. Lewis from his wife Elizabeth Lewis.

Mr. Arion from the joint committee of enrolled bills, reported: That the joint committee of enrolled bills, have compared the enrolled with the engrossed bill entitled "An act," for the relief of James Leviston, clerk of Union county, and find the same truly enrolled.

The engrossed bill from the Senate divorcing Thomas P. Lewis, from his wife Elizabeth Lewis, was read the first time and ordered to a second reading on tomorrow.

A message from the Senate by Mr. Thompson a member.

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they have passed an engrossed bill, entitled "An act," to amend an act, to authorize the administrators of Simpson Charlton, dec'd, to re-assign a certain land certificate, for the benefit of the heirs of the deceased—approved, January 9th, 1823; which originated in the House of Representatives, with an amendment in which they desire the concurrence of this House. And also, that they have passed an engrossed bill, which originated in this House, changing the state road from New-Albany to Princeton, without amendment. And

On motion,

The House concurred in the amendment made by the Senate in the bill above named.

On motion,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

On motion of Mr. Murdock,

Resolved, That the Senate be informed that the House of Representatives are now ready to meet the Senate in the chamber of the House of Representatives, for the purpose of electing by joint ballot of both Houses of the General Assembly, president judges for the first, second and third judicial circuits, in pursuance of the resolution of the 10th inst. on that subject; that seats on the right of the Speaker's chair are appropriated for the accommodation of the Senate, and the House of Representatives have appointed Mr. Pennington on their part teller.

And the Senate came in and took their seats on the right of the Speaker's chair, in the chamber of the House of Representatives, and the two houses proceeded by joint ballot to the election of president judges for the first, second and third judicial circuits in this state; and upon examination of the ballots it appeared that Jacob Call was duly elected president judge for the first judicial circuit, John F. Ross president judge for the second judicial circuit, and Miles C. Eggleston president judge for the third judicial circuit.

Whereupon,

The president of the Senate in the presence of both Houses, proclaimed the above named persons duly elected to fill the respective offices as above stated.

The Senate then retired to their chamber, and the House proceeded to consider the orders of the day.

On motion,

The consideration of the bill relative to crime and punishment, was postponed until to-morrow.

The House now according to order, resolved itself

into a committee of the whole, on the bill authorizing John M'Cormick to build a mill-dam across White river, above Indianapolis;

Mr. Armstrong in the chair,

And after some time spent therein

The Speaker resumed the chair, and

Mr. Armstrong reported: That the committee of the whole had, according to order, had said bill under consideration, had gone through the same, and had made several amendments thereto, in which he desired the concurrence of the House.

On motion,

The House concurred in said amendments generally.

Ordered, That the same be engrossed for a third reading on to-morrow.

Mr. Arion from the joint committee on enrolled bills, reported: That the joint committee of enrolled bills, have compared the enrolled with the engrossed bill, to change the state road from New-Albany to Princeton; and the engrossed bill to authorize the administrators of Simpson Charlton, deceased, to re-assign a certain land certificate, for the benefit of the heirs of the dec'd, and find the same truly enrolled. And,

On motion of Mr. Tadlock,

The House adjourned until to-morrow morning, 9 o'clock.

SATURDAY MORNING, DECEMBER 13th, 1823.

The House met pursuant to adjournment.

Mr. Law having obtained leave presented the memorial of the trustees of the Vincennes Seminary; which was read and referred to a select committee, of Messrs. Law, Reed and Dixon.

Mr. Zenor having obtained leave presented the petition of Thomas Highfill and others, praying to have a

part of the state road leading from New-Albany to Corydon, vacated; which was read and referred to the standing committee on roads.

On motion,

Mr. Pennington was added to the committee on roads.

Mr. Stevens from the judiciary committee reported: That according to order, they have had the revised bill subjecting real and personal estate to execution, under their consideration, and had gone through the same, and have made various amendments thereto, and now report their amended bill—which was read the first time, rule dispensed with, and read the second time and referred to the committee of the whole, and made the order of the day for Thursday next.

Ordered, That one hundred copies of the same be printed for the use of both Houses of the General Assembly.

Mr. Pennington presented to the House, the following preamble and resolution:

Whereas it is generally understood, that the General Government intends establishing an Armory in the west, and whereas it would be of great utility to the people of this state to have it established in this state—and whereas a survey and report has been ordered by the commissioners of the General Government on Big Blue river, which furnishes ample water power, health, convenience, to steam boat navigation, and other requisites for the establishment thereof: Therefore

Resolved by the General Assembly of the State of Indiana, That a committee be appointed to inquire into the expediency, in case the General Government should establish said armory on Blue river, of purchasing the site which may be selected, at the expense of the state; which on motion was rejected.

Mr. Palmer introduced a bill attaching a part of the county of Greene, to the county of Sullivan, which was read the first time, and ordered to a second reading on Monday next.

The House then proceeded to consider the orders of the day.

On motion,

The consideration of the bill for the formation of a new county west of the Wabash, was laid over until Monday next.

The bill for the relief of Stephen Chenault, was read the second time, and

On motion of Mr. Edwards,

Was postponed until the first Monday in January next.

The bill to incorporate the town of Madison, in the county of Jefferson, was read the second time, and referred to the committee of the whole, and made the order of the day for Tuesday next.

The engrossed bill from the Senate, divorcing Thomas P. Lewis, from his wife, Elizabeth Lewis, was read the second time.

Mr. Pennington then moved to strike out the first section of the bill, which was decided in the negative. The ayes and noes being called for by two members, stood as follows:

Those who voted in the affirmative were,

Messrs. Armstrong, Blythe, Bullock, Child, Clark, Hill, Hillis, Huston, Irwin, Jones, Kennedy, Marshall, Milbourn, Palmer, Pennington, Robertson, Tadlock, Williams and Wright—19.

And those who voted in the negative were,

Messrs. Arion, Blake, Brownlee, Burnett, Clendenin, Dixon, Edwards, Evans, Everts, Hendricks, Jelly, Johnson, Law, Lomax, M'Call, Murdock, Nelson, Oliver, Reed, Riley, Schnee, Stevens, Zenor and Maxwell, speaker—25.

Rule was dispensed with, and read the third time

and passed. The ayes and noes being called for by two members, stood as follows:

Those who voted in the affirmative were,

Messrs. Arion, Blake, Blythe, Brownlee, Burnett, Clendenin, Dixon, Edwards, Evans, Everts, Hendricks, Jelly, Johnson, Law, Lomax, M'Call, Murdock, Nelson, Oliver, Reed, Riley, Schnee, Stevens, Zenor and Maxwell, speaker—25.

And those who voted in the negative were,

Messrs. Armstrong, Bowers, Bullock, Child, Clark, Hill, Hillis, Huston, Irwin, Jones, Kennedy, Marshall, Milbourn, Palmer, Pennington, Robertson, Tadlock, Williams and Wright—19.

Ordered, That the same be entitled "An act."

A message from the Senate by Mr. Harrison a member:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they have passed an engrossed bill for the benefit of John Upp and Ezekias Smith, with one amendment; and ask the concurrence of this House to the same. And he then withdrew. And

On motion,

The House concurred in said amendment.

A message from the Senate by Mr. Raridon a member:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they have passed an engrossed bill for the formation of a new county out of the counties of Randolph and Delaware, with several amendments thereto; in which he asked the concurrence of this House. And he then withdrew. And

On motion,

The House concurred in said amendments generally.

A message from the Senate by Mr. Ray, a member:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they have passed an engrossed bill, divorcing Green B. League, from his wife, Nancy League, without amendment. And he then withdrew.

A message from the Senate by Mr. Thompson, a member:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they have adopted sundry resolutions on the subject of Congressional caucuses, for nomination of President and Vice President of the United States, and asked for the adoption of similar resolutions on the part of this House. He then withdrew. And

On motion,

The consideration of said subject was postponed until Monday next.

A message from the Senate by Mr. Jenckes a member:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that the Senate have passed the bill for the re-location of the seat of justice of Greene county, with amendments; in which he desired the concurrence of this House. He then withdrew. And

On motion,

The House concurred in said amendments generally.

Whereupon,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

The consideration of the bill authorizing John M'Cormick to erect a mill-dam across a part of White river, was laid over until Monday next.

The bill organizing the Supreme court, and defining

its powers and duties, was laid over till Monday next for a third reading.

The House now according to order, resolved itself into a committee of the whole, on the bill regulating prisons and prison bounds;

Mr. Clendenin in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Clendenin reported: That the committee of the whole had, according to order, had the said bill under consideration, had gone through the same, and directed him to report the same without amendment.

Ordered, That the said bill be considered as engrossed, read the third time and passed; and

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

A message from his Excellency the Governor, by Mr. Payne, his private Secretary:

Mr. Speaker,

I am instructed by his Excellency, to announce to this House, that he did on the 11th of this inst. approve and sign "An act to confirm the sales made by the administrators of Henry Vanderburgh, late of Knox county, deceased," which originated in the House of Representatives.

The House now resolved itself into a committee of the whole, on the bill authorizing domestic attachments, and regulating proceedings therein.

Mr. M'Call in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. M'Call reported: That the committee of the whole had, according to order, had said bill under consideration, had gone through the same, and had made one amendment thereto, in which he desired the concurrence of the House.

On motion,

The House concurred in said amendment. Ordered to be engrossed for a third reading on Monday.

A message from the Senate by Mr. Thompson, a member:

Mr. Speaker,

I am instructed by the Senate, to inform the House of Representatives, that the Senate have passed an engrossed bill entitled "An act," to authorize a loan for the use of the state, which originated in the House of Representatives, with some amendments, to which they ask the concurrence of this House.

And on the question, will the House concur in the amendments made by the Senate? Was decided in the negative. The ayes and noes being called for by two members, stood as follows:

Those who voted in the affirmative were,

Messrs. Evans, Everts, Lomax, M'Call, Murdock, Nelson, Oliver, Pennington, Stevens and Wright—10.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blake, Blythe, Bowers, Brownlee, Burnett, Child, Clendenin, Dixon, Hill, Hillis, Hendricks, Huston, Irwin, Jelly, Johnson, Jones, Kennedy, Law, Marshall, Milbourn, Palmer, Reed, Riley, Robertson, Schnee, Williams, Zenor and Maxwell, speaker—30.

So the amendments were not concurred in.

On motion,

The House adjourned until Monday morning nine o'clock.

MONDAY MORNING, December 15th, 1828.

House met pursuant to adjournment.

Mr. Stevens having obtained leave, presented the petition of Luke Obeschier and others, praying a re-location of a part of the state road leading from Vevay to

Madison, which was read, and referred to the standing committee on roads.

Mr. Nelson from the committee of enrolled bills, reported: That they have examined the engrossed with the enrolled bill, for the formation of a new county out of the counties of Randolph and Delaware, and find the same truly enrolled. Which was signed by the Speaker.

Mr. Law from the select committee, to whom was referred the petition of the trustees of the Vincennes University, reported a bill favourable to the prayer of the petitioners; which was read the first time—rule dispensed with, and read the second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Murdock from the select committee, to whom was referred the communications from the Governors of New-York and Georgia, reported unfavourable to the proposed alteration in the Constitution of the United States. Which report was, on motion, concurred in.

Mr. Arion from the joint committee of enrolled bills, reported: That they have compared the engrossed with the enrolled bill, divorcing Thomas P. Lewis from his wife Elizabeth Lewis, and find the same truly enrolled. Whereupon the Speaker signed the same.

The House then proceeded to consider the orders of the day.

The bill attaching a part of the county of Greene, to the county of Sullivan, was read the second time, and referred to the committee of the whole, and made the order of the day for the first Monday in January next.

The House now according to order, resolved itself into a committee of the whole, on the bill relative to crime and punishment;

Mr. Burnett in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Burnett reported: That the committee of the whole had, according to order, had the said bill under

consideration, made some progress therein, but not having time to go through the same, have desired me to ask leave to sit again. Which leave was given.

A message from the Senate by Mr. Thompson, a member:

Mr. Speaker,

I am instructed by the Senate, to inform the House of Representatives, that they have receded from their amendments made to the bill authorizing a loan for the use of the state. He then withdrew.

On motion,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

The House now again resolved itself into a committee of the whole, on the bill relative to crime and punishment;

Mr. Burnett in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Burnett reported: that the committee of the whole had, according to order, had said bill under consideration, made some progress therein, but not having time to go through the same, had desired him to ask leave to sit again. Which leave, on motion, was granted.

On motion,

Mr. Stevens was added to the standing committee on roads.

On motion,

Mr. Clendenin was added to the military committee.

Mr. Arion from the joint committee of enrolled bills, reported that they have compared the enrolled with the engrossed bills, entitled "Acts," for the re-location of the seat of justice of Greene county;

To dissolve the bans of matrimony between Green B. League, and Nancy League his wife.

An act for the benefit of John Upp, and Ezekias

alias Ezekiel Smith, and find the same truly enrolled; which were presented to the Speaker and by him signed.

Whereupon,

The House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, Dec. 16, 1823.

The House met pursuant to adjournment.

Mr. Bullock having obtained leave presented the petition of George M'Casland and others, citizens of Jennings and Jefferson counties, praying for a change in the county line between Jennings and Jefferson counties; which was read and referred to a select committee, composed of Messrs. Bullock, Hillis and Kennedy.

Mr. Blythe having obtained leave, presented the petition of Thomas Townsend, praying certain relief therein named, which was read and referred to the standing committee on roads.

On motion of Mr. Evans,

Resolved, That the revised bills relative to defining the boundaries of counties, be referred to a select committee.

Whereupon,

Messrs, Jelly, Hendricks and Johnson, were appointed that committee.

Mr. M'Call having obtained leave, presented a memorial to Congress, on the subject of connecting the waters of the Lakes with those of the Wabash river; which was read the first time, rule dispensed with, and read the second and third time and passed; and

Ordered, That the Senate be informed thereof, and their concurrence requested.

Mr. Arion from the joint committee of enrolled bills reported, that they have examined the enrolled with the

engrossed bill authorizing a loan for the use of the state, and find the same truly enrolled. Which was presented to and signed by the Speaker.

On motion of Mr. Evans,

Resolved, That the agent at Indianapolis, and he is hereby requested, to report to the present General Assembly, the state of the funds, and such other things connected with his said agency as may be of importance to the state.

The Speaker laid before the House sundry documents relative to the official conduct of Jacob Call, President Judge of the first judicial circuit of this state.

Which was read and referred to the judiciary committee.

The House then proceeded to consider the orders of the day.

The House now according to order, again resolved itself into a committee of the whole, on the bill relative to crime and punishment;

Mr. Burnett in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Burnett reported:

That the committee of the whole had, according to order, had the said bill under consideration, made some progress therein, but not having time to go through the same, had desired him to ask leave to sit again—which leave was granted.

A message from the Senate by Mr. Milroy, a member;

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that the Senate have passed a memorial, on the subject of opening a canal between the waters of the lakes and that of the Wabash river. And he then withdrew.

A message from the Senate by Mr. Graham, a member:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they have passed an engrossed bill for the relief of the heirs of civil officers dec'd; and an engrossed bill for the appointment of constables, and defining their duties, in which he desired the concurrence of this House. And he then withdrew.

On motion,

The House adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

The House assembled.

The engrossed bill from the Senate, for the relief of the heirs of civil officers deceased, was read the first time and ordered to a second reading on to-morrow; and also, the engrossed bill from the Senate for the appointment of constables, and defining their duties, was read the first time and ordered to a second on to-morrow.

A message from the Senate by Mr. Chambers, a member:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that the Senate have passed an engrossed bill for the formation of the county of Hendricks, to which they desire the concurrence of this House. And he then withdrew.

The bill for the formation of the county of Hendricks, was read the first time and ordered to a second reading on to-morrow.

The Speaker laid before the House, the report of B. F. Morris, agent at Indianapolis, made in pursuance of the resolution of this morning; which was read and referred to the committee of ways and means.

The House again according to order, resolved itself into a committee of the whole on the bill relative to crime and punishment:

Mr. Burnett in the chair,

And after some time spent therein,

The Speaker resumed the chair, and
Mr. Burnett reported :

That the committee of whole had, according to order had the said bill under consideration, and gone through the same ; made several amendments thereto, in which amendments he desired the concurrence of the House.

And the House concurred in said amendments generally.

Whereupon,

On motion,

The House adjourned until to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, DECEMBER 17th 1823.

The House met pursuant to adjournment.

On motion of Mr. Evans,

The petition of Garret Perkins and James Rague, was taken up, read and referred to a select committee of Messrs. Evans, Bullock and Kennedy.

Mr. Robinson having obtained leave, presented the petition of Samuel Smith and others, praying the location of a road from Indianapolis to Crawfordsville; which was read and referred to a select committee of Messrs, Robinson, Paxton and Hendricks.

Mr. Everts having obtained leave, presented the petition of Zachariah Ferguson and others, praying certain relief therein named, which was read and referred to a select committee of Messrs. Everts, Brownlee and Wright.

Mr. Blake from the judiciary committee, to whom was re-committed the bill organizing the supreme court, and defining its powers and duties, reported a bill with amendments, which was read the second time and ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. M'Call,

Resolved, That the Speaker of this House be requested to sign and transmit, one copy to the President of the Senate, and Speaker of the House of Representatives of the Congress of the United States, and one to each of our Senators and Representatives in said Congress, of the memorial adopted by the Senate and House of Representatives, relative to appropriation of land to aid the opening a canal communication between the waters of the Wabash river and Lake Erie.

Mr. Hillis presented the following resolution, to wit:

Resolved, That a committee be appointed to enquire into the expediency of reducing the salaries of the judges of the supreme and circuit courts, and reducing the pay of the members of the legislature, and all other officers of this state.

Mr. Murdock moved to reject said resolution, which was decided in the negative. The ayes and noes being called for by Messrs. Hillis and Murdock, stood as follows:

Those who voted to reject the resolution were,

Messrs. Armstrong, Bullock, Burnett, Childs, Clark, Edwards, Evans, Hill, Huston, Johnson, Jones, Law, Marshall, M'Call, Milbourn, Murdock, Nelson, Oliver, Paxton, Reed, Robertson and Schnee—22.

And those who voted in the negative were,

Messrs. Arion, Blythe, Bowers, Brownlee, Clendenin, Cotton, Dixon, Everts, Hillis, Hendricks, Irwin, Jelly, Kennedy, Lomax, Palmer, Pennington, Riley, Stevens, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—23.

So the resolution was adopted, and referred to a select committee of Messrs. Hillis, Johnson, Marshall, Tadlock and Pennington.

A message from the Senate by Mr. Johnson a member:

Mr. Speaker,

I am instructed to inform the House of Representa-

tives, that the Senate has adopted the following resolution:

Resolved by the Senate, the House of Representatives concurring therein, That the judiciary committee on the part of the Senate, be instructed to meet the judiciary committee on the part of the House of Representatives, whose duty it shall be to draft and report a bill, regulating judicial circuits, and fixing the time of holding courts; in which the concurrence of the House of Representatives is requested.

On motion,

The House concurred in said resolution.

Ordered, That the Senate be informed thereof.

Messrs. Blake, Palmer, Hill, Brownlee, Irwin, Armstrong, Clark and Lomax, were added to the committee to whom was referred the revised bills, on the subject of the boundaries of counties.

The House now proceeded to consider the orders of the day.

The bill from the Senate for the relief of the heirs of civil officers deceased, was read the second time, and referred to the committee of ways and means.

The engrossed bill from the Senate for the appointment of constables, and defining their duties, was read the second time, and referred to the committee of the whole, and made the order of the day for to-morrow.

The engrossed bill from the Senate, for the formation of the county of Hendricks, was read a second time, and ordered to a third reading on to-morrow.

The resolutions from the Senate relative to caucus nominations, were taken up, and ordered to lie on the table.

The engrossed bill establishing a county seminary in the county of Knox, was read the third time and ordered to lie on the table.

The engrossed bill organizing the supreme court, and defining its powers and duties, was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof and their concurrence requested.

The bill authorizing domestic attachments and regulating proceedings therein, was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof and their concurrence requested.

The engrossed bill, authorizing John M'Cormick to erect a mill-dam across White river, above Indianapolis, was read the third time. And on the question being put, shall the bill pass? Was decided in the negative; the ayes and noes being demanded by two members, stood as follows:

Those who voted in the affirmative were,

Messrs. Clark, Dixon, Edwards, Evans, Everts, Hendricks, Jelly, Kennedy, Nelson, Oliver, Paxton, Pennington, Reed, Robertson and Tadlock—15.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blake, Blythe, Bowers, Brownlee, Bullock, Burnett, Child, Clendenin, Cotton, Hill, Hillis, Huston, Irwin, Johnson, Jones, Law, Lomax, M'Call, Milbourn, Murdock, Palmer, Riley, Schnee, Williams, Wright, Zenor and Maxwell, speaker—28.

So the bill did not pass.

The House now according to order, resolved itself into a committee of the whole, on the bill to prevent unlawful gaming;

Mr. Johnson in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Johnson reported: That the committee of the whole had, according to order, had said bill under consideration, gone through the same, and desire me to re-

port the same without amendment, which was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate by Mr. Raridon a member:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they have passed an engrossed bill, allowing and regulating the writ of ad quod damnum, in which they desire the concurrence of this House. And he then withdrew.

A message from the Senate by Mr. Gregory a member:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they have passed an engrossed bill, for the additional appropriation for the building of the court house at Indianapolis, in which they request the concurrence of this House.

A message was received from the Senate, by Mr. Graham a member: Announcing that they have passed an engrossed bill, for the relief of William Jackson, without amendment, which originated in this House. And he then withdrew.

The House according to order, resolved itself into a committee of the whole, on the bill to incorporate the town of Madison, in the county of Jefferson;

Mr. Oliver in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Oliver reported: That the committee of the whole have, according to order, had the above bill under consideration, gone through the same, made several amendments thereto, and desired him to ask the concurrence of the House therein.

And the House concurred in said amendments generally.

Mr. Stevens moved to strike out the proviso in the 12th section of the bill, which was decided in the negative.

He then moved the House to add the following as sections 14 and 15 to the said bill, which was also decided in the negative.

Sec. 14. That the provisions of this act, shall never be construed, so as to authorize any person or persons to fill any of the corporate offices created by this act, unless he or they have been bona fidely settled and resident upon some part of the boundaries of the corporation of said town, for at least the term of two years preceding, and at the time of such election or appointment, to any such office. And also, for the said term of two years next preceding, and at the time of such election or appointment to any such office, be bona fidely the owner of some real estate within the bounds of said corporation, and be fully qualified to vote for Representatives to the state Legislature.

Sec. 15. Whenever any such officer shall cease to be such resident or freeholder or qualified voter, as mentioned in said last section, the office which he or they held, shall immediately thereafter be absolutely vacant.

A message was received from the Senate by Mr. Sholtz, a member: Announcing that the Senate have passed an engrossed bill for the relief of Julius Johnston, sheriff and collector of Martin county; in which they desire the concurrence of this House. And he then withdrew.

The engrossed bill from the Senate, allowing and regulating the writ of ad quod damnum; was read the first time—rule dispensed with and read the second time, and ordered to be read a third time on to-morrow.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

The bill from the Senate, making additional appro-

priations for the court house at Indianapolis, and for the relief of Julius Johnston, sheriff and collector of Martin county; were read the first time and severally ordered to a second reading on to-morrow.

The House now resolved itself into a committee of the whole, on the bill attaching a part of the counties of Putnam and Montgomery, to the county of Parke;

Mr. Palmer in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Palmer reported: That the committee of the whole had, according to order, had the said bill under consideration, but not thinking it expedient to go thro' the same, had desired him to ask leave to sit again; which leave was granted.

The engrossed bill establishing a seminary in the county of Knox; was taken up, read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The House now according to order, resolved itself into a committee of the whole, on the bill establishing a new county out of the counties of Parke and Wabash;

Mr. Clark in the chair;

And after some time spent therein,

The Speaker resumed the chair, And

Mr. Clark reported: That the committee of the whole had, according to order, had the said bill under consideration—gone through the same and made several amendments thereto; in which he desired the concurrence of this House. And the House, on motion, concurred in said amendments generally.

Ordered, That the same be engrossed for a third reading on to-morrow.

The House, on motion, concurred in the amendments made on yesterday in committee of the whole, on the

bill relative to crime and punishment, except the 18th, 60th and 67th sections; the first of which was amended, the second and third was stricken out and others added in their place.

On motion,

The House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, DECEMBER 18, 1823.

The House met pursuant to adjournment.

Mr. Dixon having obtained leave, presented the petition of Jacob M'Intire and others, praying the formation of a new county out of the counties of Owen, Putnam and Vigo; which was read and referred to the committee of the whole, to whom was referred the petition to attach a part of the county of Putnam to the county of Parke.

Mr. Robertson having obtained leave, presented the petition of Joseph Swank and others, praying the formation of a new county out of the counties of Putnam and Montgomery; which was read and referred to the committee of the whole, to whom was referred the petition to attach a part of the county of Putnam to the county of Parke: And also, the remonstrance of Isaac Linder against the same; which was read and referred to the same committee.

Mr. Arion from the joint committee of enrolled bills, reported: That he did on yesterday present to his Excellency the Governor for his approval and signature, the following acts:—

An act for the formation of a new county, out of the counties of Randolph and Delaware.

An act divorcing Thomas P. Lewis from his wife Elizabeth Lewis.

An act to authorize a loan for the use of the state.

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An act to dissolve the bans of matrimony between Green B. League and Nancy his wife.

An act for the benefit of John Upp and Ezekias alias Ezekiel Smith. And

An act for the re-location of the seat of justice of Greene county.

Mr. Everts from the select committee to whom was referred the petition of Zachariah Ferguson and others, reported a bill favourable to the prayer of the petitioners; which was read the first time and ordered to a second reading on to-morrow.

Mr. Arion from the joint committee of enrolled bills, reported: That they have compared the enrolled with the engrossed bill, entitled "An act for the relief of William Jackson," and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

On motion of Mr. Hendricks,

Resolved, That the committee on roads, be instructed to enquire into the expediency of establishing a state road from Jeffersonville, by way of Charlestown, Lexington, Vernon, Greensburgh, Rushville and New Castle, to Fort Wayne.

Mr. Pennington moved to reconsider the vote of yesterday, striking out the 60th section of the bill relative to crime and punishment: And on the question being put, will the House reconsider said vote? Was decided in the negative. The ayes and noes being demanded by two members, stood as follows:

Those who voted in the affirmative were,

Messrs. Arion, Blythe, Brownlee, Bullock, Child, Clark, Hillis, Hendricks, Huston, Jelly, Jones, Kennedy, Lomax, Paxton, Pennington, Reed, Robertson, Williams and Maxwell, speaker—19.

And those who voted in the negative were,

Messrs. Armstrong, Blake, Bowers, Burnett, Clen-

denin, Cotton, Dixon, Edwards, Evans, Everts, Hill, Irwin, Johnson, Law, Marshall, M'Call, Milbourn, Murdock, Nelson, Oliver, Palmer, Riley, Schnee, Stevens, Tadlock, Wright and Zenor—27.

So the motion to reconsider failed.

A message was received from the Senate by Mr. Gregory, a member: Announcing that the Senate have passed an engrossed bill to appoint commissioners to locate the seat of justice of Madison county, in which they desire the concurrence of this House. And he then withdrew.

A message was received from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate have passed an engrossed bill, which originated in this House, relative to prisons and prison bounds, with an amendment, in which they desire the concurrence of this House. And

On motion,

The House concurred in said amendment.

The House proceeded to consider the orders of the day.

The bill from the Senate appointing commissioners to locate the seat of justice of Madison county, was read the first time—rule dispensed with and read a second time, and ordered to a third reading on to-morrow.

The engrossed bill from the Senate for the relief of Julius Johnson, sheriff and collector of Martin county, was read the second time and ordered to a third reading on to-morrow.

The engrossed bill for an additional appropriation to the court house at Indianapolis, was read the second time and referred to the committee of the whole, and made the order of the day for Monday next.

The engrossed bill for the formation of a new county out of the counties of Parke and Wabash, was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

On motion,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

The engrossed bill from the Senate, allowing and regulating the writ of ad quod damnum, was read the third time and passed.

The engrossed bill organizing circuit courts and defining their powers and duties; was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill for the incorporation of the town of Madison, in the county of Jefferson, was read the third time, and on the question being put, shall the bill pass? Was decided in the affirmative; the ayes and noes being called for by two members, stood as follows:

Those who voted in the affirmative were,

Messrs. Arion, Armstrong, Blythe, Bowers, Brownlee, Bullock, Burnett, Childs, Clark, Clendenin, Cotton, Dixon, Edwards, Evans, Everts, Hill, Hillis, Hendricks, Irwin, Jelly, Johnson, Jones, Kennedy, Law, Lomax, Marshall, M'Call, Milbourn, Nelson, Oliver, Palmer, Paxton, Reed, Riley, Robertson, Schnee, Tadlock, Williams, Zenor and Maxwell, speaker—40.

And those who voted in the negative were,

Messrs. Huston, Murdock, Pennington, Stevens and Wright—5.

A message was received from the Senate by Mr. Grass, a member: Announcing that they have passed

an engrossed bill, in addition to an act entitled "An act," authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund—approved December 31st, 1821. And he then withdrew.

The engrossed bill from the Senate, for the formation of the county of Hendricks, was read the third time and passed.

The House now according to order, resolved itself into a committee of the whole, on the bill subjecting real and personal estate to execution;

Mr. Pennington in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Pennington reported: That the committee of the whole had, according to order had said bill under consideration, made some progress therein, but not having time to go through the same, desired him to ask leave to sit again. Which leave was granted.

On motion,

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, DECEMBER 19th, 1823.

The House met pursuant to adjournment.

Mr. Evans from the select committee, to whom was referred the petition of John T. Chunn, praying for certain relief therein named, reported a bill favorable to the prayer of the said petitioner, which was read the first time, and ordered to a second reading on to-morrow.

The bill for the relief of Stanhope Royster and others, was read the second time, and

On motion of Mr. Stevens,

Referred to the standing committee on roads.

The engrossed bill from the Senate, to locate the seat of justice of Madison county, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate, for the relief of Julius Johnston, sheriff of Martin county, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The House then according to order, resolved itself into a committee of the whole, upon the bill subjecting real and personal estate to execution;

Mr. Pennington in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Pennington reported: That the committee of the whole had according to order, had the said bill under their consideration, had made some progress therein, but not having had time to go through the same, had instructed him to ask leave to sit again; which leave was accordingly granted.

A message was received from the Senate by Mr. Gregory, a member: Announcing that the Senate concur in the amendment made by the House of Representatives, to the engrossed bill from the Senate appointing commissioners to locate the seat of justice of Madison county. And then he withdrew.

The House then adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

The House met pursuant to adjournment.

The House again resolved itself into a committee of the whole, upon the bill subjecting real and personal estate to execution;

Mr. Pennington in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Pennington reported: That the committee of

the whole had, according to order, had said bill under their consideration, had made some progress therein, but not having had time to go through the same, had instructed him to ask leave to sit again; which leave was accordingly granted.

A message was received from the Senate by Mr. Johnston, a member: Announcing that the Senate have passed the engrossed bill, from the House of Representatives, dissolving the bans of matrimony existing between Willis Kelly, and Dardania his wife, without amendment.

Mr. Nelson laid before the House, certain documents relative to the official conduct of the honorable Jacob Call, presiding judge of the first judicial circuit; which were, on motion, referred to the judiciary committee.

And then the House adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, DECEMBER 20th, 1823

House met pursuant to adjournment.

Mr. Dixon presented the remonstrance of J. Patton and others, citizens of Greene county, against attaching any part of their said county, to the county of Sullivan; which was read and ordered to lie on the table.

On motion of Mr. Evans,

The committee of ways and means to whom was referred the engrossed bill from the Senate, for the relief of the heirs of civil officers, deceased; were discharged from the further consideration thereof.

Mr. Nelson from the joint committee for enrolled bills reported: That the said committee had compared the enrolled with the engrossed bills, entitled acts, to wit:—

"An act allowing and regulating the writ of ad quod damnum."

"An act for the relief of Julius Johnston, sheriff of Martin county."

"An act appointing commissioners to locate the seat of justice of Madison county." And

"An act for the formation of the county of Hendricks." And have found them truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, and laid before the President thereof, for his signature.

Mr. Arion from the joint committee for enrolled bills, reported: That the said committee have compared the enrolled with the engrossed bill, entitled "An act authorizing the laying off certain state roads, in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the same,"—approved, December 31st, 1821; and have found it truly enrolled:

Whereupon,

The Speaker signed the same.

The bill for the relief of John T. Chunn; was read the second time;

Whereupon,

Mr. Pennington moved to amend the bill, by striking it out from the enacting clause; and the ayes and noes being demanded thereon, by Messrs. Pennington and Wright, were as follows:—

Those who voted in the affirmative were,

Messrs. Brownlee, Bullock, Child, Everts, Hill, Hillis, Hendricks, Huston, Irwin, Jelly, Johnson, Jones, Kennedy, Lomax, Milbourn, Murdock, Nelson, Palmer, Pennington, Riley, Robertson, Tadlock, Williams, Wright, Zenor and Maxwell, speaker,—26.

Those who voted in the negative were,

Messrs. Arion, Armstrong, Blake, Bowers, Burnett, Clark, Clendenin, Cotton, Dixon, Edwards, Evans, Law, Marshall, M'Call, Oliver, Paxton, Reed and Schnee—18.

And so the said question was decided in the affirmative. And

On motion,

The said bill was ordered to lie on the table.

A message was received from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate have passed the engrossed bill, from the House of Representatives, authorizing domestic attachments and to regulate the proceedings thereon; with sundry amendments, in which he asked the concurrence of the House of Representatives; and then he withdrew.

A message was received from the Senate by Mr. Craig, a member: Announcing that the Senate insist on their amendment to the bill from the House of Representatives, "for the special appropriation of a part of the three per cent. fund and for other purposes." And then he withdrew.

The House then again resolved itself into a committee of the whole House, on the bill subjecting real and personal estate to execution:

Mr. Pennington in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Pennington reported. That the committee of whole had, according to order, had the said bill under their consideration, had made some progress therein, but not having had time to go through the same, had instructed him to ask leave to sit again; which on motion was accordingly granted.

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

On motion of Mr. Arion,

Resolved, That this House do insist on their disagreement to the amendment made by the Senate to the engrossed bill from the House of Representatives, entitled "An act for the special appropriation of a part of the three per cent. fund and for other purposes;" that a committee of free conference be appointed on the part of this House, to act with a similar committee to be appointed on the part of the Senate, to take into consideration the subject of the disagreement between the two Houses, relative to the amendment made to the above named bill; that the Senate be informed thereof and a similar committee on their part requested—and that the House of Representatives have on their part, appointed Messrs. Stevens and Arion that committee.

A message was received from the Senate by Mr. Gregory, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act for the relief of Sevier Lewis, collector of Shelby county," in which he was instructed to ask the concurrence of the House of Representatives; which was read the first time and ordered to a second reading on Monday next.

The House then again resolved itself into a committee of the whole, upon the engrossed bill subjecting real and personal estate to execution:

Mr. Pennington in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Pennington reported: That the committee of the whole had, according to order, had the said bill under consideration, and had made sundry amendments thereto, in which they had instructed him to ask the concurrence of the House. And

On motion,

The House concurred generally in all the said amendments, and

On motion.

Ordered, That the same be engrossed for a third reading on Monday next.

Whereupon,

The House adjourned until Monday morning nine o'clock.

MONDAY MORNING, DECEMBER 22d, 1823.

The House met pursuant to adjournment.

Mr. M'Call having obtained leave, presented the petition of C.G.Brown, praying certain relief therein named, which was read, and referred to a select committee of Messrs. M'Call, Reed and Dixon.

Mr. Blythe having obtained leave, presented the petition of James Vaughan and others, praying certain relief therein named, which was read and referred to the committee of claims and accounts.

Mr. Nelson from the joint committee of enrolled bills reported, that they did on Saturday last, present to his Excellency the Governor for his approval and signature, the following enrolled bills, entitled "Acts."

"An act" for the relief of Julius Johnson, sheriff and collector of Martin county.

"An act" for the formation of the county of Hendricks.

"An act" allowing and regulating the writ of *ad quod damnum*.

"An act" appointing commissioners to locate the seat of justice of Madison county.

"An act" for the relief of William Jackson.

Mr. Arion from the joint committee of enrolled bills,

reported: That they have compared the engrossed with the enrolled bill entitled "An act," regulating prisons and prison bounds, and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Nelson from the judiciary committee, to whom was referred sundry documents and complaints, relative to the official conduct of the honorable Jacob Call, president judge of the first judicial circuit in this state reported: That they have had the records of the proceedings complained of, under their consideration, and report: That it appears from the documents and records exhibited, that the trustees of Vincennes, had by an ordinance declared that a certain house standing as is alleged by the trustees, in the public street of the town, was a nuisance, and directed that the same should be removed; and after the removal was effected, directed that said house should be sold to pay the expenses of the removal, by another ordinance. That Richard P. Price, the claimant of the house, applied upon bill filed to the equity jurisdiction of the Knox circuit court, and procured an injunction to be issued from said court, directed to the persons composing the corporation of the trustees of Vincennes, their agents and attornies, commanding them to desist from any sale or further injury of said house or removal thereof, further than to the nearest private lot, without the owners consent, if said house should be in the street.

Of this court Judge Call is the president, and made the order for the injunction aforesaid. This injunction the committee find to have been duly served on the defendants and Thomas Robinson the constable of the borough, and the officer acting under the authority and by the direction of the trustees the defendants aforsaid. This injunction was disregarded, and the said Robinson attached upon the relation of the complainant Price, to answer for a contempt of the authority of the court in refusing to obey its process; the nature of the writ

Robinson in his answer to the interrogatories put to him by the court, on the return of the writ of attachment, admits to have understood, and by such admission clearly shews himself guilty of the contempt alleged. It is not conceived to be the immediate duty of this committee to investigate the question, whether the equity side of the circuit court of Knox county, had jurisdiction to award an injunction to stay the removal, abatement, or sale of a house, which the trustees of Vincennes had declared a public nuisance, inasmuch as that question does not affect the charge against the judge. The circuit courts have a general jurisdiction in equity, and while they do not travel out of that jurisdicton, a mistake in adjudicating upon the proposition whether a party complaining, has or has not relief in equity, is never a ground for treating the court as trespassers, but the party supposing himself injured is to seek his remedy by appeal or writ of error to the supreme court.

Within this general jurisdiction of equity it is the opinion of the committee, that judge Call has clearly confined all his acts which form the subject matter of the complaint of the trustees of Vincennes. And as it respects the proceedings under the attachment for a contempt, the committee do not merely think that judge Call did what the law required of him, but that his acts, in adjudicating upon the case of Thomas Robinson, carried mildness with justice and legality. The committee therefore determine, that the conduct of judge Call as president of the first judicial circuit, in the case complained of, deserves the approbation of this House, and that the complaint of the trustees of the borough of Vincennes, presents no cause for the interference of the legislative tribunals of impeachment and trial.

On the question being put, will the House concur in the report of the committee? Was unanimously decided in the affirmative. The ayes and noes being demanded, stood as follows:

Those who voted in the affirmative were,

Messrs. Armstrong, Blythe, Bowers, Brownlee, Bullock, Burnett, Child, Clark, Clendenin, Cotton, Dixon, Edwards, Evans, Everts, Hill, Hillis, Hendricks, Huston, Irwin, Johnson, Jones, Kennedy, Law, Lomax, Marshall, M'Call, Milbourn, Murdock, Nelson, Oliver, Palmer, Paxton, Pennington, Reed, Riley, Robertson, Schnee, Stevens, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—43.

And none voted in the negative.

Mr. Evans presented the following memorial of Jacob Call, presiding judge of the first judicial circuit.

To the Honourable
the Speaker, and House of Representatives of the state of Indiana, at Corydon assembled.

The memorial of the undersigned respectfully prays, that the charge of tyrannical, inquisitorial and oppressive conduct in his official character as presiding judge of the first judicial circuit of this state, preferred against him by the trustees of the borough of Vincennes, and on which the committee of investigation have just reported, may be further examined. The apology which your memorialist offers for asking so much attention from your honourable body is, because he has been assailed in an unusual manner, the charge comes not as from private individuals, (such he would now disregard) but it is stated to be the mature deliberation of the trustees of one of the most considerable towns of the state. In this way it assumes a more serious character, and gives both the accusers and the accused, a claim to more than the ordinary rules of concurrence in the report of the committee. It is the peculiar duty of the Representatives of a republican government, to listen to the cries of its oppressed citizens. It is said by his accusers that your memorialist is their oppressor! Such charges should be most scrupulously examined!

He asks further investigation too on account of the many generous and intelligent citizens of Vincennes, whose sentiments are not at all expressed by the trustees of their town, in order that the general charge of turbulence and vindictive malice, may not be made against all of its inhabitants. The charges against your memorialist, are spread on the records of the borough, with the usual forms of official proceedings, to be referred to as authority for future attacks on his official reputation; and for the promotion of disorder and dissatisfaction among the citizens of his circuit. Nothing tends more to the injury of judicial character, than charges such as those which have been alleged against your memorialist. Let these ideas be once impressed on the minds of the people of the state; let them once believe that all your judges are such as he is said to be by his accusers, and their just indignation will be aroused. Your conduct will be despised, and power and strength opposed to all their proceedings! each man will be the judge of his own cause, and the most powerful will be the most successful in his contests! Your memorialist has learned that previous to the charges preferred against him, you had again honored him with the appointment to his former office. He was pleased & gratified at the intelligence, but regrets that the charges had not been first investigated. Then had you re-appointed him, it would have been evidence of your approbation of his conduct. But in order that you may know the man to whom you have confided the high & important trust of administering justice according to the laws of the land, your memorialist has declined accepting the new appointment, until the investigation of his conduct is concluded. If a public officer properly discharges his duty, amidst all its attendant difficulties, privations and responsibilities, he cannot be very anxious to hold an office; but strip him of the approbation of his country, and it becomes odious and despicable.

In granting the request of your memorialist, he will be more gratified than at the honour already conferred.

J. CALL.

December 22d, 1823.

Mr. Evans from the select committee on the petition of Garret Perkins and James Rague, reported a bill favourable to the prayer of the petitioners; which was read the first time, rule dispensed with, and read a second time, and ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Evans,

Resolved, That John W. Lee, superintendant of the seminary township of land in Monroe county, be required to report to this House, any information relative to said township that may enable the present General Assembly to judge correctly of its present condition, and of the value of the improvements made thereon.

On motion of Mr. Hendricks,

Resolved, That the standing committee on roads be instructed to enquire into the expediency of establishing a state road from New-Castle to Indianapolis.

The House proceeded to consider the orders of the day.

The bill for the relief of Sevier Lewis, collector of Shelby county, was read second time, and referred to the committee of claims and accounts.

A message was received from the Senate, by Mr. Gregory, a member: Announcing that the Senate have passed an engrossed bill declaring Blue river a public highway; in which they desire the concurrence of this House. And he then withdrew.

A message was received from the Senate by Mr. Farnham, one of their Secretaries: Announcing that the Senate had passed an engrossed bill relative to estrays, water crafts and other articles of value going adrift, in which they desire the concurrrence of this House. And a bill concerning proceedings in eject-

ment, distress for rent, and tenants at will holding over, which originated in the House; made several amendments thereto, in which they desire the concurrence of this House. And he then withdrew.

The engrossed bill relative to crime and punishment, was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The House now according to order, resolevd itself into a committee of the whole, on the bill attaching a part of the counties of Montgomery and Putnam to the county of Parke;

Mr. Cotton in the chair:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Cotton reported: That the committee of the whole to whom was referred the above bill, had according to order, had the same under consideration, gone through the same, made several amendments thereto, and instructed him to ask the concurrence of the House therein, and

On motion,

The House concurred in said amendments generally.

Ordered, That the same be engrossed for a third reading on to-morrow.

The House now according to order, resolved itself into a committee of the whole, on the bill locating a state road from Madison to Greensburgh, by the way of Millersburgh:

Mr. Hill in the chair,

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Hill reported: That the committee of the whole had, according to order, had said bill under consideration, gone through the same, and directed him to report the same without amendment.

On motion of Mr. Bullock,

The same was amended in the first section, by strik-

ing out the words, "by Millersburgh in the county of Ripley."

On motion of Mr. Kennedy,

It was further amended, by striking out the name of Tilly H. Brown in the first section, and inserting that of James M'Clasky in its place.

Ordered, That it be engrossed for a third reading on to-morrow.

The House now resolved itself into a committee of the whole, on the bill from the Senate appointing constables, and defining their duties:

Mr. Blythe in the chair,

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Blythe reported: That the committee of the whole had, according to order, had the said bill under consideration, not having time to go through the same, had desired him to ask leave to sit again.

Which leave on motion was granted.

Mr. Arion from the joint committee of enrolled bills reported: That they have compared the engrossed with the enrolled bills entitled "Acts."

"An act," for the incorporation of the town of Madison, in the county of Jefferson.

"An act," to dissolve the bans of matrimony between Willis Kelly and Dardania his wife.

A memorial of the General Assembly of this state to Congress, on the subject of opening a canal between the waters of Lake Erie, and those of the Wabash, and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

The engrossed bill from the Senate, declaring Blue river a navigable stream, was read the first time, and ordered to a second reading on to-morrow.

The bill from the Senate, regulating the taking up of animals going estray, water crafts and other articles of value going adrift, was read the first time—rule dispensed with, read the second time, and referred to the committee of the whole, and made the order of the day for to-morrow.

On motion,

The House concurred in said amendments made by the Senate, to the bill concerning proceedings in ejectment, distress for rent, and tenants at will holding over.

A message was received from the Senate by Mr. Raridon, a member: Announcing that the Senate have passed a bill entitled "An act, to repeal an act, entitled an act, for altering the western boundary of Wayne county and other purposes therein named,"—approved January 11th, 1823; read the first time—rule dispensed with, read the second time and referred to the committee of the whole, and made the order of the day for Wednesday next.

The Speaker laid before the House the report of John W. Lee, agent of the reserved township in the county of Monroe, which was read and referred to the standing committee on education.

Mr. Hendricks presented the remonstrance of William Martindal and others, against the repeal of the law establishing the western boundary of Wayne county, which was read and referred to the committee of the whole, to whom was referred the bill from the Senate to day, on the subject of repealing said law.

The House now proceeded to consider the orders of the day.

The House again resolved itself into a committee of the whole, on the bill appointing constables, and defining their duties:

Mr. Blythe in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Blythe reported: That the committee of the

whole to whom was referred the above bill, had according to order, had the same under consideration, made several mendments thereto, in which he was instructed to desire the concurrence of the House; and

On motion,

The House concurred in said amendments generally.

The House now resolved itself into a committee of the whole, on the bill declaring Sugar creek or Rock river a navigable stream:

Mr. Stevens in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Stevens reported: That the committee of the whole had, according to order, had under consideration the above bill, made one amendment thereto, and instructed him to ask the concurrence of the House therein; and

On motion,

The House did not concur in the said amendment.

Mr. Blake then moved to indefinitely postpone said bill, which was decided in the negative. The ayes and noes being demanded by two members, stood as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Blake, Blythe, Bowers, Clendenin, Cotton, Hill, Irwin, Johnson, Law, Marshall, M'Call, Milbourn, Murdock, Nelson, Palmer, Riley, Schnee, Stevens Tadlock and Wright—21.

And those who voted in the negative were,

Messrs. Arion, Brownlee, Bullock, Burnett, Child, Clark, Dixon, Edwards, Everts, Hillis, Hendricks, Huston, Jelly, Jones, Kennedy, Lomax, Paxton, Pennington, Reed, Robertson, Williams, Zenor and Maxwell, speaker—23. And

On motion of Mr. Blake,

Was referred to a select committee, of Messrs. Blake,

Marshall and Blythe, with leave to report by bill or otherwise.

Mr. Arion from the joint committee of enrolled bills reported: That he did on this day present to his Excellency the Governor, for his approval and signature, the following acts:

"An act to incorporate the town of Madison, in the county of Jefferson."

"An act to dissolve the bans of matrimony between Willis Kelly, and Dardania his wife."

"An act regulating prisons and prison bounds."

"An act in addition to the act, entitled an act, authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the same"—approved Dec. 31st, 1823.

And a memorial from this General Assembly to Congress, on the subject of opening a canal between the waters of lake Erie and those of the Wabash.

And then the House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, Dec. 23, 1823.

The House met pursuant to adjournment.

Mr. Reed having obtained leave presented the petitions of Stephen Bedling and others, and John Coleman and others, praying the re-location of the state road from Petersburgh to Washington; which was read and referred to a select committee of Messrs. Reed, M'Call, Dixon and Palmer.

On motion of Mr. Tadlock,

Resolved, That a standing committee be appointed, to whom shall be referred all petitions for divorces.

Messrs. Tadlock, Evans, Huston, Pennington and Reed, were appointed that committee.

Mr. Palmer having obtained leave presented the petition of Jane Spencer, of Sullivan county, praying for a divorce from her husband, Moses Spencer; which was read and referred to a select committee of Messrs. Palmer, Reed and Law.

Mr. Tadlock having obtained leave presented the petition of Elijah Hughes, praying to be divorced from his wife, Elizabeth Hughes; which was read, and referred to the standing committee on divorces.

A message from the Senate, by Mr. Craig, a member: Announcing that the Senate have appointed a committee of free conference, to act with a similar committee which has been appointed on the part of the House of Representative, to take into consideration the matter in dispute between the two Houses, relative to the bill for the special appropriation of a part of the three per cent. fund, and for other purposes—and that the Senate have appointed Messrs. Craig and Gregory the committee on their part. And he then withdrew.

On motion of Mr. Pennington,

The petition of Resin Jones was taken up, and referred to the standing committee on divorces.

Mr. Palmer having obtained leave presented the petition of James Garrett, praying certain relief therein named, which was read, and referred to standing committee on roads.

Mr. Armstrong having obtained leave presented the petition of James C. Caldwell and others, of Clark county, praying a law authorizing the sales of certain lands for the use of schools; which was read, and referred to the same committee to whom was referred the bill of the last session of this Legislature on that subject, and reported to this House by the committee of unfinished business.

The bill divorcing Abraham S. Barr, from Ursula, his wife, late Ursula Wood, was taken up, read the third time—And on the question being put, shall said bill pass? was decided in the negative. The ayes and

noes being demanded by two members, stood as follows:

Those who voted in the affirmative were,

Messrs. Blake, Edwards, Murdock, Oliver, Reed and Schnee—6.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blythe, Bowers, Bullock, Burnett, Child, Clark, Clendenin, Cotton, Dixon, Evans, Everts, Hill, Hillis, Hendricks, Huston, Irwin, Jelly, Johnson, Jones, Kennedy, Law, Lomax, Marshall, M'Call, Milbourn, Nelson, Palmer, Paxton, Riley, Robertson, Stevens, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—38.

So the bill did not pass.

The House proceeded to consider the orders of the day.

The engrossed bill from the Senate declaring Blue river a public highway, was read the third time, and ordered to lie on the table.

The engrossed bill attaching a part of the counties of Montgomery and Putnam, to the county of Parke, was read the third time and passed.

And the engrossed bill to locate a state road from Madison to Greensburgh, was read the third time and passed.

Ordered, That they be entitled acts; and that the Senate be informed thereof, and their concurrence requested.

The petition of Jane Southard, praying to be divorced from her husband, George Southard, was taken up, and referred to the standing committee on divorces.

The bill to authorize the county commissioners of the county of Switzerland, to hold a special session, was read the third time and passed.

Ordered, That the same be entitled an act, and that

the Senate be informed thereof, and their concurrence requested.

The House now according to order, resolved itself into a committee of the whole, on the bill making additional appropriations to the court-house at Indianapolis;

Mr. Nelson in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Nelson reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, and made several amendments thereto, and instructed him to ask the concurrence of this House thereto. And the House

On motion,

Concurred in said amendments generally.

Ordered, That the amendments be engrossed for a third reading on to-morrow.

A message from the Senate by Mr. Farnham, one of their Secretaries: Announcing that the Senate have passed an engrossed bill which originated in this House, organizing the supreme court, and defining its powers and duties, with an amendment, in which they desire the concurrence of this House. And he then withdrew.

The House then adjourned until 3 o'clock, P. M.

3 *o'clock*, *P. M.*

The House assembled.

On motion,

The House concurred in the amendment made by the Senate to the bill organizing the supreme court, and defining its powers and duties, which originated in this House.

Mr. Evans asked, and obtained leave of absence from this House during this evening.

The House now resolved itself into a committee of the whole, on the bill from the Senate, regulating the taking up of animals going estray, and water crafts and other articles of value adrift:

Mr. Marshall in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Marshall reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, made several amendments thereto, and directed him to ask the concurrence of the House thereto. And

On motion,

The House concurred in all the amendments except to the eighth section of said bill, to which the House did not concur.

A message from the Senate, by Mr. Farnham, one of their Secretaries: Announcing that the Senate have concurred in the amendment marked No. 1, to the engrossed bill, entitled "An act for appointing constables," &c.

The Senate has amended amendment marked No. 2, by inserting the word "feasance," after the syllable "non."

The Senate has refused to concur in amendment marked No. 3, and to amendment No. 4; concurred in amendment No. 5.

A message from the Senate by Mr. Stapp, a member: Announcing that the Senate have passed an engrossed bill, to provide for the election of electors of President, and Vice President of the United States; in which they desire the concurrence of this House. And he then withdrew.

A message from the Senate by Mr. Thompson, a member: Announcing that the Senate have passed an engrossed bill, which originated in this House, to provide for the partition of real estate, without any amendment. And he then withdrew.

A message from the Governor, by Mr. Payne his private secretary: Announcing that his Excellency did on the 13th inst. approve and sign,—

"An act, to amend an act entitled "An act, to authorize the administrators of Simpson Charlton, deceased,

to reassign the certificate of certain real estate, for the benefit of the heirs of the deceased;"—approved Jan. 9th, 1823.

"An act for the relief of James Leviston, clerk of Union county."

"An act to change the state road from New-Albany to Princeton."

Also, that he did on the 17th inst. approve and sign,

"An act to authorize a loan for the use of the state."

"An act for the formation of a new county out of the counties of Randolph and Delaware."

"An act for the re-location of the seat of justice of Greene county."

"An act to dissolve the bans of matrimony between Green B. League, and Nancy League, his wife."

"An act for the benefit of John Upp and Ezekias alias Ezekiel Smith."

Also, that on the 20th inst. he did approve and sign,

"An act for the relief of William Jackson."

Also, on the 22d inst.—

"An act for the incorporation of the town of Madison, in the county of Jefferson."

"An act in addition to the act, entitled "An act authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund for opening the said roads"—approved Dec. 31st, 1821.

"An act to dissolve the bans of matrimony between Willis Kelly, and Dardania, his wife."

"An act regulating prisons and prison bounds."

"A memorial of the General Assembly of the state of Indiana, to Congress, on the subject of opening a canal between the waters of lake Erie and the Wabash river."

All of which originated in the House of Representatives.

The engrossed bill from the Senate to provide for the election of electors of President and Vice-President

of the United States, was read the first time, rule dispensed with, and read the second time, and referred to a committee of the whole, and made the order of the day for Monday next.

On motion,

Resolved, That this House do not recede from amendment No. 3, made in this House to the bill appointing constables, and defining their duties.

The House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, DECEMBER 24th 1823.

The House met pursuant to adjournment.

Mr. Reed from the committee on that subject, reported a bill for the re-location of the state road from Petersburgh to Washington, which was read the first time, and ordered to be read a second time to-morrow.

On motion of Mr. Palmer,

The petition of Jane Spencer, praying to be divorced from her husband Moses Spencer, was referred to the standing committee on divorces, and the select committee to whom the same was referred, was discharged from the further consideration thereof.

On motion,

Mr. Zenor was added to the standing committee on divorces.

Mr. Bowers introduced a bill establishing a board of trustees, which was read the first time, and ordered to a second reading on to-morrow.

Mr. Nelson from the joint committee of enrolled bills reported, that they have compared the enrolled bills, entitled "Acts," viz:

"An act, authorizing domestic attachments, and to regulate proceedings thereon;" And

"An act concerning proceedings in ejectment, distress for rent, and tenants at will holding over," with the engrossed bills, and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The House proceeded to consider the orders of the day.

On motion,

This House do insist on the 4th amendment made by this House, to the bill appointing constables, and defining their duties.

A message from the Senate by Mr. Thompson, a member: Announcing that the Senate have passed an engrossed bill, authorizing the appointment of Pilots at the falls of the Ohio, in which they desire the concurrence of this House. And he then withdrew.

On motion,

The bill subjecting real and personal estate to execution, was re-committed to the committee of the whole.

And

On motion,

The House now resolved itself into a committee of the whole on said bill:

Mr. Pennington in the chair,

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Pennington reported: That the committee of the whole had, according to order, had said bill under consideration, made some progress therein, but not having time to go through the same, directed him to ask leave to sit again, which leave the House would not grant.

On motion,

The committee of the whole were discharged from the further consideration of the same.

Ordered, That the same lie on the table until Monday next.

A message from the Senate by Mr. Jenckes, a member: Announcing that the Senate have passed an en-

grossed bill, for attaching a part of the counties of Montgomery and Putnam, to the county of Parke, which originated in this House, without amendment.

The engrossed bill from the Senate, entitled an act regulating the taking up of animals going estray, and other articles of value adrift, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate making additional appropriations for the court house at Indianapolis, was with its amendments read a third time, and on the question being put, shall said bill pass? Was decided in the affirmative. The ayes and noes being called for by two members stood as follows;

Those who voted in the affirmative were,

Messrs. Armstrong, Blake, Blythe, Bowers, Brownlee, Bullock, Child, Clendenin, Dixon, Edwards, Evans, Everts, Hill, Hendricks, Irwin, Jelly, Jones, Kennedy. Law, Lomax, M'Call, Milbourn, Murdock, Nelson, Oliver, Palmer, Paxton, Reed, Riley, Robertson, Schnee, Stevens, Williams, Wright and Maxwell, speaker—35.

And those who voted in the negative were,

Messrs. Arion, Burnett, Cotton. Hillis, Huston, Johnson, Marshall, Pennington, Tadlock & Zenor–10.

Ordered, That the Senate be informed thereof and their concurrence requested.

On motion,

The bill from the Senate to repeal the law, establishing the western boundary of Wayne county, was ordered to lie on the table until Monday next.

The engrossed bill from the Senate, authorizing the appointment of Pilots at the falls of Ohio, was read the first time—rule dispensed with, and read the second time, and referred to the committee of the whole, and made the order of the day for to-morrow.

The revised bills to establish a board of county commissioners, and for the incorporation of county libraries, were severally read the first time—rule dispensed with, and read the second time, and referred to the committee of the whole, and made the order of the day for Monday next.

The revised bill granting lands for the use of salt springs, and to encourage the manufacture of salt, was read the first time—rule dispensed with, and read the second time, and ordered to be considered as engrossed for the third reading on Monday next.

A message from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate has received official information, that his excellency the Governor did, on the 11th inst. approve and sign—

"An act for the appointment of Hamilton county commissioners."

Also, that he did on the 17th instant, approve and sign—

"An act divorcing Thomas P. Lewis, from his wife Elizabeth Lewis."

And on the 20th instant,

"An act for the formation of the county of Hendricks."

"An act appointing commissioners to locate the seat of justice of Madison county."

"An act allowing and regulating the writ of ad quod damnum. And

"An act for the relief of Julius Johnston, sheriff and collector of Martin county;" all of which originated in the Senate.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

The revised bills to establish the county treasurer. To license and regulate taverns. To establish and regulate ferries. More effectually to prevent duelling—were severally read the first time, rule dispensed with,

read the second time, and referred to the committee of the whole, and made the order of the day for Monday next.

The revised bill regulating divorces, was read first time, rule dispensed with, and read second time, and referred to the standing committee on divorces.

Mr. Nelson from the joint committee of enrolled bills reported: That they did on this day present to his Excellency, the Governor, for his approval and signature the following acts, viz:

"An act concerning proceedings in ejectment, distress for rent, and tenants at will holding over;" and

"An act authorizing domestic attachments, and regulating the proceedings thereon."

The revised bill for the appointment of trustees to receive deeds for lots and lands given or purchased, for the use of schools, meeting-houses or masonic lodges, was read the first time, rule dispensed with, read second time, and ordered to be read the third time on Monday next.

The revised bill regulating mills and millers, was read the first time, rule dispensed with and read the second time, and referred to the committee of the whole, and made the order of the day for Friday next.

The revised bills for opening and regulating public roads and highways. Declaring certain streams therein named, public highways. Prescribing the mode of changing the venue. For the relief of insolvent debtors—were severally read the first time, rule dispensed with and read the second time, and referred to a committee of the whole, and made the order of the day for Wednesday next.

The revised bill authorizing the arresting and securing of fugitives from justice, read first time, rule dispensed with, read the second time, and ordered to be considered as engrossed for the third reading on to-morrow.

The revised bill for the assignment of dower, was

read the first time—rule dispensed with, and read the second time, and ordered to be considered as engrossed for a third reading on to-morrow.

The revised bill relative to fugitives from labour, was read the first time—rule dispensed with, and read the second time, and ordered to be considered as engrossed for a third reading on to-morrow.

On motion,

Resolved, That all the bills reported, and petitions now before this House on the subject of declaring streams navigable, be referred to the committee of the whole, to whom was referred the revised bill declaring certain streams therein named navigable, and that the select committees on said petitions be discharged from the further consideration of the same.

A message from the Senate by Mr. Raridon, a member: Announcing that the Senate have adopted the following resolution:

Resolved, That the Senate insist on their disagreement to the 3d and 4th amendments made by the House of Representatives, to the bill entitled an act for the appointment of constables, and defining their duties, and have appointed on their part Mr. Raridon and Mr. Gregory, a committee of free conference to confer with a similar committee on the part of the House of Representatives, on the subject matter of disagreement between the two Houses on said bill. And he then withdrew.

Whereupon,

Messrs. Blake and Bullock, were appointed a committee of free conference on the part of this House, to act with a committee on the part of the Senate, on the matter of difference.

The revised bill to provide for the commissioning of sheriffs and coroners, and to regulate their duties, was read the first time—rule dispensed with, and read the second time, and ordered to be considered as engrossed for a third reading on to-morrow.

The revised bill to provide for the election of county and township officers, read the first time—rule dispensed with, and read the second time, and ordered to be read a third time to-morrow.

Mr. Huston asked, and obtained leave of absence for three days.

On motion of Mr. Nelson,

Resolved, That it is the opinion of this House, thatit is inexpedient, either for the purpose of vindicating public justice, or doing justice to the character of Judge Call, further to investigate the subject matter of his memorial presented to this House on the 22d inst.

The House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, DECEMBER 25, 1823.

The House met pursuant to adjournment.

Mr. Murdock having obtained leave, presented the petition of Urban Edgerton and others, citizens of Franklin and Rush counties, praying for the establishment of a certain state road therein mentioned; which was read and referred to a select committee, of Messrs. Murdock, Oliver, Hendricks and Paxton, with leave to report by bill or otherwise.

Mr. Robertson having obtained leave, presented the petition of Thomas Linchey and others, praying the relocation of the state road from Terre-Haute to Fort Wayne; which was read and referred to a select committee, of Messrs. Robertson, Blake and Palmer, with leave to report by bill or otherwise.

Mr. Paxton having obtained leave, presented the petition of George Smith and others, praying for an alteration in the bounds of Madison county; which was read and referred to a select committee, of Messrs. Pax-

ton, Hendricks, Wright, Hillis, Hill and Irwin, with leave to report by bill or otherwise.

Mr. Clendenin having obtained leave, presented the petition of Samuel Cobb and others, praying an extension of their lease of the French Lick, in Orange county; which was read and ordered to lie on the table.

On motion,

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, DECEMBER 26, 1823.

The House met pursuant to adjournment.

Mr. Murdock having obtained leave, presented the petition of H. Gregg and others, praying the repeal of a certain law therein named, which was read and referred to the standing committee on roads.

Mr. Oliver having obtained leave, presented the petition of M. Edgerton and others, praying the location of a state road from Brookville to Harrison, which was read and referred to a select committee of Messrs. Oliver, Blythe and Murdock.

Mr. Pennington having obtained leave, presented the complaint of George Muck, against Gillam Harris a justice of the peace in the county of Harrison; which was read and referred to the judiciary committee.

Mr. Blythe having obtained leave presented the petition of Isaac Morgan and others, praying the location of a state road from Brookville to Harrison; which was read and referred to a select committee of Messrs. Oliver, Blythe and Murdock.

Mr. Murdock having obtained leave, presented the petition of Daniel Ogden and others, citizens of Franklin county, praying for the location of a certain state road therein named; which was read and referred to

the same committee, to whom was referred the petition of Urban Edgerton and others.

And also, the petition of Tobias Miller and others, praying for a change in the state road from Oxford to Connersville; which was read and referred to the same committee.

Mr. Evans from the committee of ways and means, to whom was referred the revised bill, on the subject of assessing and collecting the revenue, reported a bill on that subject, which was read the first time—rule dispensed with, and read the second time, and referred to a committee of the whole for Wednesday next.

A message from the Senate by Mr. Jenckes, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act establishing a county seminary in the county of Knox;" and "An act to prevent unlawful gaming," without amendment. And an engrossed bill entitled "An act for the formation of a new county out of the counties of Parke and Wabash," with an amendment, in which they desire the concurrence of this House—All of which originated in the House of Representatives. And he then withdrew.

On motion,

The House concurred in said amendment.

Ordered, That the Senate be informed thereof.

Mr. Clendenin from the committee to whom was referred the petition of B. Vancleave and others, reported a bill favorable to the prayer of the petitioners; which was read the first time, rule dispensed with and read the second time, and ordered to be engrossed for a third reading on Monday next.

Mr. Law having obtained leave, presented a joint resolution on the subject of the National Road from Wheeling to the Mississippi; which was read the first time, rule dispensed with and read the second and third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Mr. Nelson having obtained leave, presented a bill concerning judgments and executions; which was read the first time, rule dispensed with and read the second time, and ordered to lie on the table until Monday next.

The bill subjecting real and personal estate to execution, was taken up, and referred to a committee of the whole for Monday next.

Mr. Arion from the joint committee of enrolled bills reported: That they have compared the enrolled with the engrossed bills, entitled acts:—

"Attaching a part of the counties of Montgomery and Putnam to the county of Parke;"

"To provide for the partition of real estate;" and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The bill to establish a state road from Petersburgh to Washington, was read the second time, and ordered to be engrossed for a third reading on Monday next.

The bill establishing a board of trustees, was read the second time, and ordered to lie on the table.

A message from the Senate, by Mr. Stapp, a member: Announcing that the Senate have concurred in the amendments made by the House of Representatives to the bill regulating the taking up of animals going estray, and water crafts and other articles of value adrift. And he then withdrew.

The bill relative to fugitives from labour, was read the third time, and referred to a select committee, of Messrs. Evans, Murdock and Marshall.

The bill relative to the election of county and township officers, ordered to lie on the table.

The bill for the assignment of dower, was read the second time, rule dispensed with, considered as engrossed, read the third time and passed. And

The bill to provide for the election of Sheriffs and coroners, and defining their duties, was read the third time and passed.

Ordered, That they be entitled "Acts," and that the Senate be informed thereof, and their concurrence requested.

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

Mr. Evans presented the following resolution, which was ordered to lie on the table:

Resolved, That it is deemed expedient by this House, that the law subjecting real and personal estate to execution, should be so modified, that on all contracts or debts contracted previous to the first day of June, 1823, real property should not be sold for less than one half its appraised value; but on all debts contracted subsequent to that time, property shall be sold for the best price it will bring.

The House proceeded to consider the orders of the day.

The bills authorizing the arresting and securing of fugitives from justice. For the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools, meeting houses or masonic lodges. Concerning lands granted for the use of salt springs, and to encourage the manufacture of salt—were severally read the third time and passed.

Ordered, That they be entitled "Acts," and that the Senate be informed thereof, and their concurrence requested.

The House now according to order, resolved itself into a committee of the whole, on the engrossed bill from the Senate, for the appointment of pilots at the Falls of the Ohio:

Mr. Brownlee in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Brownlee reported: That the committee of the whole had, according to order, had the said bill under

consideration, gone through the same, made several amendments thereto, and directed him to ask the concurrence of the House therein. And

On motion,

The House concurred in said amendments generally.

Ordered, That the amendments be engrossed, and read the third time on Monday next.

Mr. Zenor asked, and obtained leave of absence until Monday morning next.

The House now according to order, resolved itself into a committee of the whole, on the bill regulating mills and millers:

Mr. Paxton in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Paxton reported: That the committee of the whole to whom was referred the above bill had, according to order, had the same under consideration, gone through the same, and made several amendments thereto, and directed him to ask the concurrence of the House therein. And

On motion,

The House concurred in said amendments generally.

Ordered, That the same be engrossed for a third reading on to-morrow.

Mr. Arion from the joint committee of enrolled bills reported: That they have compared the enrolled with the engrossed bill entitled "An act, organizing the supreme court, and defining its powers and duties," and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

On motion of Mr. Blake,

Resolved, That the judiciary committee be, and they are hereby authorized to send for persons and papers, to explain the charges preferred against Gillam Harris, a justice of the peace in the county of Harrison.

The House adjourned until Monday morning nine o'clock.

MONDAY MORNING, DECEMBER 29, 1823.

The House met pursuant to adjournment.

Mr. Reed presented the petition of William Fuller, of Knox county, praying certain relief therein named; which was read, and referred to the standing committee on roads.

Mr. Evans presented the petition of David Martin, praying to be divorced from his wife, Emily Martin; which was read, and referred to the standing committee on divorces.

Mr. Stevens presented the petition of James Kirby and others, citizens of Switzerland county, praying a law to pass taxing the owners of dogs; which was read and referred to the committee of the whole, to whom was referred the revenue bill.

Mr. Jelly presented the petition of J. Murray and others, praying authority to organize themselves into a volunteer corps of Light Infantry, which was read and referred to a select committee of Messrs. Jelly, Cotton and Blythe.

Mr. Blake presented the petition of Frederick Rapp, praying certain relief therein named; which was read and referred to a select committee of Messrs. Blake, Evans and Edwards.

Mr. Blake presented the petition of William N. Purdy and others, citizens of Vigo and Sullivan counties, praying certain relief therein named; which was read and referred to a select committee of Messrs. Blake, Reed and Palmer.

Mr. Blake from the judiciary committee, to whom was referred the revised bill on the subject of settling estates testate and intestate, reported a bill providing for the settlement of decedents estates, and for other purposes; which was read the first time—rule dispensed with, and read the second time, and referred to the committee of the whole, for Wednesday next.

Mr. Arion from the joint committee of enrolled bills

reported: That they have compared the engrossed with the enrolled bill entitled "An act for the establishment of a county seminary in the county of Knox, and find the same truly enrolled.

Whereupon

The Speaker signed the same.

Mr. Robertson from the select committee on that subject, reported a bill for the location of a state road from Terre-Haute to Crawfordsville, which was read the first time—rule dispensed with, and read the second time, and ordered to be considered as engrossed for a third reading on to-morrow.

Mr. Wright having obtained leave, presented a bill authorizing the citizens of Allen county, to vote for Senators and Representatives to the General Assembly of this state, which was read the first time, and ordered to a second reading on to-morrow.

On motion,

The resolution introduced by Mr. Evans on Friday last, on the subject of real estate not selling for less than half its appraised value, was taken up, and on motion rejected.

A message from the Senate by Mr. Raridon, a member: Announcing that the Senate have passed an engrossed bill, attaching Allen county to the counties of Wayne and Randolph, for the purposes therein named, in which they desire the concurrence of this House. And he then withdrew.

A message from the Senate by Mr. Gregory, a member: Announcing that the Senate have passed an engrossed bill, amendatory to an act for the formation of a new county out of the county of Delaware; in which they desire the concurrence of this House. And he then withdrew.

The engrossed bill from the Senate, attaching the county of Allen, to the counties of Wayne and Randolph, for the purposes therein named, was read the first time—rule dispensed with, read the second and third times, and passed without amendment.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate amendatory to an act, for the formation of a new county out of the county of Delaware, was read the first time—rule dispensed with, and read the second time, and ordered to lie on the table.

The House then adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House assembled.

The revised bill concerning lands granted for the use of salt springs, and to encourage the manufacture of salt; the revised bill regulating grist mills and millers; the engrossed bill from the Senate authorizing the appointment of pilots at the falls of Ohio, with the engrossed amendments thereto; the engrossed bill for the benefit of Benjamin Vancleave, and the heirs of Hugh Holmes, deceased; and the engrossed bill establishing a state road from Petersburgh to Washington, were each severally read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The House now according to order, resolved itself into a committee of the whole, on the revised bill more effectually to prevent duelling:

Mr. Dixon in the chair,

And after some time spent therein;

Mr. Speaker resumed the chair, and

Mr. Dixon reported the same with an amendment, in which he desired the concurrence of the House.

And on the question, shall the House concur in said amendment? It was decided in the affirmative; the ayes and noes being demanded by Messrs. Pennington and Evans, were as follows:

Those who voted in the affirmative were,

Messrs. Arion, Blake, Brownlee, Burnett, Clark, Clendenin, Cotton, Dixon, Evans, Hillis, Johnson,

Law, Marshall, M'Call, Milbourn, Murdock, Nelson, Oliver, Paxton, Reed, Schnee, Tadlock, Wright, Zenor and Maxwell, speaker—25.

And those who voted in the negative were,

Messrs. Armstrong, Blythe, Bowers, Bullock, Child, Everts, Hill, Hendricks, Huston, Irwin, Jelly, Jones, Kennedy, Lomax, Palmer, Pennington, Riley, Robertson, Stevens and Williams—20.

Ordered, That the said bill be engrossed for a third reading on to-morrow.

The House resolved itself into a committee of the whole, on the engrossed bill from the Senate, providing for the election of electors of President and Vice President of the United States:

Mr. Hendricks in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Hendricks reported: That the committee of the whole had, according to order, had said bill under their consideration, had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again; which leave was accordingly granted.

A message from the Senate, by Mr. Farnham, their assistant Secretary: Announcing that the Senate have concurred in the amendments made by the House of Representatives, to the engrossed bill from the Senate, making additional appropriations to the court-house at Indianapolis, with two amendments; in which he asked the concurrence of the House of Representatives. And then he withdrew. And

On motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

Ordered, That the committee of the whole be discharged from the further consideration of the bill, es-

tablishing a board of county commissioners, and that the same lie on the table.

A message from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate refuse to concur in the 1st & 3d amendments made by the House of Representatives, to the engrossed bill from the Senate, authorizing the appointment of pilots at the Falls of Ohio, but concur in the 2d amendment made by this House to said bill. And then he withdrew.

Whereupon,

On motion,

Resolved, That this House insist upon their said 1st and 2d amendments to the above named bill: and that the Senate be informed thereof.

The House resolved itself into a committee of the whole, on the revised bill establishing and regulating ferries:

Mr. Zenor in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Zenor reported the said bill with sundry amendments; which amendments were generally concurred in by the House.

Ordered, That the said bill be engrossed for a third reading on to-morrow.

The House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, Dec. 30, 1828.

The House met pursuant to adjournment.

Mr. Schnee presented the petition of Thomas Estis and others, praying an alteration in the state road from Mount Vernon to Owensville; which was read and referred to the standing committee on roads.

Mr. Evans from the select committee, to whom was referred the revised bill regulating the fees of the several officers and persons therein named, reported a bill with amendments, which was referred to a committee of the whole for to-morrow.

Mr. Child from the standing committee on roads, reported a bill for the relief of James Garret, which was read the first time—rule dispensed with, and read the second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Evans from the committee, to whom was referred the revised bill on the subject of fugitives from labour, reported the same with an amendment; to which amendment the House concurred.

Ordered, That the same be engrossed for a third reading on to-morrow.

On motion,

Mr. Kennedy was added to the committee to whom was referred, an enquiry into the expediency of reducing the salaries of the judicial officers of this state, and the pay of the members of the Legislature.

A message from the Senate by Mr. Thompson, a member: Announcing that the Senate have adopted the following resolution:

Resolved, That a committee of free conference be appointed on the part of the Senate, to act with a similar committee on the part of the House of Representatives, on the subject of the difference between the two Houses on the amendments made by the House of Representatives, to the bill regulating the appointment of pilots, at the falls of the Ohio, and that Messrs. Thompson and Raridon be that committee. And he then withdrew.

Whereupon,

On motion,

Messrs. Nelson and Stevens, were appointed a committee of free conference on the part of the House to act with the said committee on the part of the Senate, on the subject of the above named disagreement.

Ordered, That the Senate be informed thereof.

On motion of Mr. Kennedy,

Resolved, That the committee on roads, be authorized to draft and lay before this House, a bill appointing commissioners to view, lay out and mark, a state road from the town of Brookville in Franklin county, to Versailles in Ripley county, thence to Vernon in Jennings county, and to Madison in Jefferson county, to be governed in every respect as the commissioners heretofore appointed to perform said duty, under the provisions of an act locating certain permanent state roads therein named, and for other purposes—approved January 22d, 1820—and who failed to perform said duty

The bill to enable the citizens of Allen county to vote for Senators and Representatives to the General Assembly of this state, was on motion indefinitely postponed.

The bill more effectually to prevent duelling, was read the third time, and on the question being put, shall said bill pass? Was decided in the affirmative; the ayes and noes being called for by Mr. Pennington and Nelson, stood as follows:

Those who voted in the affirmative were,

Messrs. Arion, Armstrong, Blake, Blythe, Bowers, Brownlee, Burnett, Clendenin, Cotton, Dixon, Edwards, Johnson, Law, Marshall, M'Call, Milbourn, Murdock, Oliver, Paxton, Tadlock, Zenor and Maxwell, speaker—22.

And those who voted in the negative were,

Messrs. Bullock, Child, Clark, Evans, Everts, Hill, Hendricks, Huston, Irwin, Jelly, Kennedy, Lomax, Nelson, Pennington, Riley, Robertson, Stevens, Williams and Wright—19.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof and their concurrence requested.

A message from the Senate by Mr. Grass, a member: Announcing that the Senate have passed an engrossed bill, for the relief of the sheriff of Spencer county, in which they desire the concurrence of this House. And he then withdrew.

The said bill was read the first time—rule dispensed with, and read the second time, and ordered to be read the third time to-morrow.

Mr. Arion from the joint committee of enrolled bills reported: That they have compared the following enrolled with the engrossed bills, entitled "Acts," to wit:

"An act for the formation of a new county out of the counties of Parke and Wabash."

"An act attaching Allen county to the counties of Randolph and Wayne, for the purposes therein mentioned;" and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The engrossed bill to establish a state road from Terre-Haute to Crawfordsville, was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The House resolved itself into a committee of the whole, on the bill subjecting real and personal estate to execution:

Mr. Pennington in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Pennington reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, made several amendments thereto, and directed him to ask the concurrence of the House therein.

On motion,

The House concurred in the first amendment. The ayes and noes being called for by Messrs. Tadlock and Murdock, stood as follows:

Those who voted for concurring in the first amendment made in the committee of the whole were,

Messrs. Arion, Armstrong, Blythe, Bowers, Brownlee, Bullock, Child, Cotton, Edwards, Evans, Hill, Hillis, Hendricks, Huston, Irwin, Jelly, Jones, M'Call, Palmer, Paxton, Pennington, Riley, Robertson, Stevens and Zenor—25.

And those who voted against the concurrence were.

Messrs. Blake, Burnett, Clark, Clendenin, Dixon, Everts, Johnson, Kennedy, Law, Lomax, Marshall, Milbourn, Murdock, Nelson, Reed, Tadlock, Williams and Maxwell, speaker—19. And

On motion,

The House concurred in the second amendment made to said bill in committee of the whole.

The ayes and noes being called for by Messrs. Everts and Tadlock, stood as follows:

Those who voted to concur in the second amendment were,

Messrs. Arion, Armstrong, Blake, Blythe, Bowers, Brownlee, Bullock, Burnett, Child, Clendenin, Cotton, Dixon, Edwards, Evans, Everts, Hill, Hillis, Hendricks, Huston, Irwin, Jelly, Johnson, Jones, Lomax, M'Call, Milbourn, Murdock, Palmer, Paxton, Pennington, Reed, Riley, Robertson, Stevens, Tadlock, Williams, Zenor and Maxwell, speaker—37.

And those who voted against concurring therein were Messrs. Clark, Kennedy, Law, Marshall, Nelson and Wright—6.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

A Message from the Senate, by Mr. Milroy, a member: Announcing that the Senate have passed an en-

grossed bill, entitled "An act providing an expeditious mode of identifying and settling the boundary lines between different proprietors of adjoining lands, and perpetuate the evidence thereof;" which was read the first time, and ordered to a second reading on to-morrow. And

An engrossed bill entitled "An act to incorporate the Salem Grammar School;" which was read the first time, rule dispensed with and read the second time, and ordered to a third reading on to-morrow.

Mr. Pennington moved to strike out the word "thirty" in the fourth section of the bill subjecting real and personal estate to execution, which was decided in the affirmative. The ayes and noes being called for by Messrs. Arion and Tadlock, stood as follows:

Those who voted in the affirmative were,

Messrs. Arion, Armstrong, Blake, Burnett, Child, Clark, Cotton, Everts, Hillis, Hendricks, Huston, Irwin, Jelly, Law, Marshall, M'Call, Nelson, Oliver, Palmer, Paxton, Pennington, Reed, Stevens, Tadlock and Maxwell, speaker—25.

And those who voted in the negative were,

Messrs. Blythe, Bowers, Brownlee, Clendenin, Dixon, Edwards, Hill, Johnson, Jones, Kennedy, Lomax, Milbourn, Murdock, Riley, Robertson, Schnee, Williams, Wright and Zenor—19.

Mr. Oliver moved to strike out the proviso in the fourth section of said bill; which was decided in the affirmative.

On motion of Mr. Nelson,

The following was added as a proviso to the amendment adopted as the third section of said bill:

"Provided that this restriction shall not extend to any greater quantity of real estate, belonging to any judgment debtor, than half quarter section of land, and one house and lot in town.

On motion of Mr. Child,

The twelfth section of said bill was so amended that there should be no replevin to exceed the term of three months.

Mr. Stevens moved that said bill should be engrossed for a third reading on Thursday next.

Mr. Evans then moved that the further consideration of said bill be postponed until to-morrow. And debate arising, the previous question was called for.

The said previous question was put in the form prescribed by the rules of the House, to wit: Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, to wit: Shall the said bill be engrossed for a third reading on Thursday next? Which was decided in the affirmative.

The engrossed bill to establish and regulate ferries, was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The House now resolved itself into a committee of the whole, on the bill to license and regulate taverns:

Mr. Lomax in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Lomax reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, and made several amendments thereto, in which he was directed to ask the concurrence of the House. And

On motion,

The House concurred in said amendments generally.

Ordered, That the same be engrossed for a third reading on Monday next.

The House now resolved itself into a committee of the whole, on the bill establishing a county treasurer:

Mr. Riley in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Riley reported; That the committee of the whole have had the said bill under consideration, made some progress therein, but not having time to go through the same, had directed him to ask leave to sit again; which leave was not granted.

Ordered, That the same lie on the table.

The House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, DECEMBER 31st, 1828.

The House met pursuant to adjournment.

The Speaker laid before the House the report of Willis Snider, trustee of the Spencer county seminary fund; from which it appears there is in his hands, the sum of $168; which was read and referred to the committee on education.

Mr. Riley presented the petition of Jonathan Osburn; praying a divorce from his wife Margaret; which was read and referred to a select committee of Messrs. Riley, Clendenin and Law.

Mr. Arion presented the petition of James Vawter, late sheriff of Jefferson county, praying certain relief therein named; which was read and referred to a select committee of Messrs. Arion, Hillis, Clark and Williams.

Mr. Williams presented the petition of Moses Fell, of Lawrence county, praying certain relief therein named; which was read and referred to the same committee, to whom was referred the petition of James Vawter.

Mr. Bullock from the judiciary committee, to whom was referred the complaint of George Muck, against

Gillam Harris, a justice of the peace for Harrison county, reported, that they have had the same under consideration, and do report, that the complaint aforesaid, in their opinion, is unworthy of further prosecution by this House.

Which report, the House, on motion, concurred in.

Mr. Child from the standing committee on roads, reported: That the petition of Harvey Gregg and others, praying for a repeal of so much of the second section of an act, entitled "An act for the altering state roads and for other purposes,"—approved, January 9th, 1823; as relates to the manner of appointing commissioners, by the circuit courts, to make alterations in state roads running through the lands of individuals, have had the same under consideration and report that the prayer of said petitioners, ought not to be granted. And that they have had under consideration, the petition of John Perrin, Stanhope Royster and Zachariah Ferguson, with the accompanying bill; and report that the prayer of the petitioners ought not to be granted.

Whereupon,

On motion,

The House concurred in said reports.

Mr. Tadlock from the standing committee on divorces, to whom was referred the revised bill on that subject, reported a bill regulating divorces; which was read the first time—rule dispensed with and read the second time, and referred to a committee of the whole, for Monday next.

Mr. Stevens from the standing committee on roads, reported a bill providing for the alteration of a certain state road therein named; which was read the first time—rule dispensed with and read the second time, and ordered to be engrossed for a third reading on tomorrow.

Mr. Murdock from the select committee, to whom was referred an enquiry into the expediency of allow-

ing a bounty on Wolf scalps, reported a bill on that subject; which was read the first time.

Mr. Evans then moved to reject said bill; which was decided in the negative. The ayes and noes being called for by two members, stood as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Blythe, Bowers, Bullock, Burnett, Child, Clark, Clendenin, Edwards, Evans, Law, M'Call, Milbourn, Pennington, Riley, Stevens, Williams and Zenor,—18.

And those who voted in the negative were,

Messrs. Arion, Brownlee, Cotton, Dixon, Everts, Hill, Hillis, Hendricks, Huston, Irwin, Jelly, Johnson, Jones, Kennedy, Lomax, Marshall, Murdock, Nelson, Oliver, Palmer, Paxton, Reed, Robertson, Tadlock, Wright and Maxwell, speaker,—26.

The rule of the House was then dispensed with—read the second time and referred to a committee of the whole for to-morrow.

Mr. Kennedy having obtained leave, presented a bill abolishing the office of Attorney General; which was read the first time—rule dispensed with and read the second time, and ordered to lie on the table.

Mr. Law offered the following resolution:

Resolved, That the engrossed bill from the Senate, providing for the election of electors of President and Vice President of the United States, be referred to a select committee, with instructions so to amend the same as to provide for laying off the state into districts, for the choice of electors; which was read and adopted. And the ayes and noes being demanded thereon,

Those who voted in the affirmative were,

Messrs. Blake, Brownlee, Burnett, Child, Clendenin, Dixon, Edwards, Huston, Irwin, Johnson,

Law, Lomax, Marshall, M'Call, Palmer, Paxton, Reed, Riley, Robertson, Tadlock, Williams, Wright and Maxwell, speaker,—23.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blythe, Bowers, Bullock, Clark, Cotton, Evans, Everts, Hill, Hillis, Hendricks, Jelly, Jones, Kennedy, Milbourn, Murdock, Nelson, Oliver, Pennington, Stevens and Zenor,—22.

And on motion,

Said resolution was referred to a select committee of Messrs. Law, Reed and Blake.

Mr. Arion from the joint committee of enrolled bills, reported, that they have compared the following enrolled with the engrossed bills, entitled acts, to wit:—

"An act to prevent unlawful gaming."

"Making additional appropriations for the court house at Indianapolis." And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The House proceeded to consider the orders of the day.

The bill providing an expedicious mode of identifying and settling the boundary line between different proprietors of adjoining lands, and to perpetuate the testimony thereof; was read the second time, and

On motion,

Indefinitely postponed.

The engrossed bill from the Senate, entitled "An act for the relief of the sheriff of Spenoer county;" and the engrossed bill from the same, to incorporate the Salem Grammar school; were severally read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bills relative to fugitives from labour, and for the relief of James Garritt; were severally read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested, and that the same be entitled "Acts."

The House now resolved itself into a committee of the whole, on the bill from the Senate, to repeal an act, entitled "An act for the altering of the western boundary line of Wayne county and for other purposes,"—approved January 11th, 1823:

Mr. Huston in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Huston reported: That the committee of the whole had, according to order, had the said bill under consideration, made some progress therein, but not having time to finish the same, had directed him to ask leave to sit again; which leave was not granted.

Whereupon,

On motion,

The said bill was referred to a select committee of Messrs. Lomax, Hill, Hendricks and Stevens.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

The House resumed the orders of the day.

The House according to order, resolved itself into a committee of the whole, on the bill for the incorporation of county libraries:

Mr. Irwin in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Irwin reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, made several amendments thereto and directed him to ask the concurrence of the House therein. And

On motion,

The House concurred in said amendments generally,

Ordered, That the same be considered as engrossed for a third reading to-morrow.

The House according to order, resolved itself into a committee of the whole, on the bill for opening and repairing public roads and highways :

Mr. Wright in the chair ;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Wright reported : That the committee of the whole had, according to order, had the said bill under consideration, made some progress therein, but not having time to go through the same, had directed him to ask leave to sit again ; which leave was accordingly granted.

The House according to order, resolved itself into a committee of the whole, on the bill for the relief of insolvent debtors:

Mr. Robertson in the chair ;

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Robertson reported : That the committee of the whole had, according to order, had the said bill under consideration, gone through the same and directed him to report the same without amendment. And the same was considered as engrossed, read the third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof and their concurrence requested.

The House now according to order, resolved itself into a committee of the whole, on the bill regulating the mode of changing the venue:

Mr. Kennedy in the chair,

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Kennedy reported: That the committee of the whole had, according to order, had the said bill under

consideration, gone through the same, and directed him to report it without amendment.

The said bill was then read the third time and passed.

Ordered, That it be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The House according to order resolved itself into a committee of the whole, on the bill "declaring certain streams therein named, public highways:"

Mr. Irwin in the chair,

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Irwin reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, made several amendments thereto, and directed him to ask the concurrence of the House therein.

On motion,

The House concurred in the amendments separately.

Mr. Blake moved to amend the said bill by adding as follows:

Provided however, That in all cases where any injury is done by declaring a stream navigable by this act, compensation shall be made for the injury so done to the owner of any mill, or other property on the streams declared navigable by this act, and the circuit courts shall adjudge what compensation shall be allowed, and the clerk of said court shall give a certificate of the same, which sum so allowed shall be audited by the auditor, and paid by the treasurer out of any monies in the treasury not otherwise appropriated; which was not adopted. The ayes and noes being called for by two members, stood as follows:

Those who voted in the affirmative were,

Messrs. Blake and M'Call—2.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blythe, Bowers, Brownlee, Bullock, Burnett, Child, Clark, Clendenin, Cotton, Dixon, Edwards, Evans, Everts, Hill, Hillis, Hendricks, Huston, Irwin, Jelly, Johnson, Jones, Kennedy, Law, Lomax, Marshall, Milbourn, Murdock, Nelson, Palmer, Paxton, Pennington, Reed, Robertson, Stevens, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—41.

Mr. Murdock then moved to add the following as an additional section to said bill, which was accordingly adopted.

If any person or persons, shall consider that he she or they are, or will be damaged by complying with the provisions of this act, such person or persons may at any time petition the circuit court of the proper county, setting forth his, her, or their grievance, and the circuit court shall thereupon make an order authorizing the sheriff of said county, within thirty days thereafter, to summon a jury of twelve disinterested freeholders of his bailiwick, to view the premises in question, and under oath determine how much such petitioner or petitioners may and will be damaged by complying with the provisons of this act, and shall return the same under their hands and seals, to such sheriff, and such sheriff shall return the same to the next circuit court, and the court shall record the same on the records of said court. And the said petitioner or petitioners shall not be bound to comply with the provisions of this act, until he, she or they shall be paid the damages which said jury may have assessed in his favour, if any they shall have assessed, which said damages shall be paid out of the county treasury of the county, where such damage may be assessed; and in all cases such sheriff is hereby authorized to administer such oath as is required by this section to such jury.

The House adjourned until to-morrow morning nine o'clock.

THURSDAY MORNING, JANUARY 1st, 1824.

The House met pursuant to adjournment.

Mr. Burnett presented the petition of Edward Brown and others, trustees of the New-Albany school, praying a law to pass authorizing them to purchase and sell real estate; which was read and referred to a select committee of Messrs. Burnett, Pennington and Armstrong.

Mr. Armstrong from the select committee, to whom was referred the bill, reported to this House by the committee of unfinished business, relative to the school lands for Clark's Grant. And the petition of James C. Caldwell and others, relative thereto, reported a bill to establish a board of trustees for the promotion of schools and learning in Clark's Grant; was read the first time—rule dispensed with, read the second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Nelson from the joint committee of enrolled bills reported: That they did on this day, present to his Excellency the Governor, for his approval and signature, the following entitled acts:

"An act for the formation of a new county out of the county of Parke and Wabash."

"An act attaching Allen county to the counties of Randolph and Wayne, for the purposes therein named."

"An act organizing the supreme court and defining its powers and duties."

"An act establishing a county seminary in the county of Knox."

"An act making additional appropriations for the court house at Indianapolis." And

"An act to prevent unlawful gaming."

Mr. Bullock from the select committee to whom was referred a petition on that subject, reported a bill altering a part of the boundary line, dividing Jennings and Jefferson counties; which was read the first time—rule

dispensed with, read the second time, and referred to the committee of the whole for Monday next.

Mr. Law from the judiciary committee, to whom was referred the petition of the heirs of Henry Vanderburgh, late of Knox county deceased, reported a bill in compliance with the prayer of the petitioners, which was read the first and second times, and ordered to be engrossed for a third reading on to-morrow.

Mr. Hillis from the select committee to whom was referred the resolution of the 17th ultimo, to inquire into the expediency of reducing the salaries of the judges of the supreme and circuit courts; the pay of the members of the Legislature, and all other officers of state reported: That the said committee have had the same under consideration, and beg leave to submit the following preamble and resolution, to wit:

"That the pressure of the times, and the exigencies of government, imperiously demand a sacrifice of individual interests to the public good. No government can exist, or if it does exist, no government can be prosperous when the few are supported by the hard earnings of the many: Such policy is not only hostile to the spirit of our government, but it is calculated to prevent the replenishment of our empty Treasury."

"Your committee do not believe the salaries of the officers of this state would be considered too high if the treasury was full, the state out of debt, and the circulating medium more abundant among the people; but as the reverse is the fact, they are constrained to adopt the opinion, that the pay to some of the public servants might be reduced without injury to the public weal. The arguments sometimes used by those who are hostile to the reduction of salaries, the officers are paid in depreciated currency and therefore ought not to be reduced, does not deserve the consideration of this House. Your committee believe it to be the duty of the General Assembly to provide a secure currency, so that the officers may be paid their amount for which the public

faith and public honor stands pledged. If this should be done, (as your committee believe it ought) the officers of government might then receive, if the salaries should be reduced by law, in truth and in fact as much as they now receive. Your committee believe that the exhausted state of the treasury, the enormity of the public debt about to be encreased by a loan of $19,000, the pressure of taxation on the people of this state, and the certainty that they may live comfortably with smaller sums than are now paid them, do recommend the adoption of the following resolution to wit:"

Resolved, That this committee be directed to report a bill to this House, providing for the reduction of the salaries of the officers of this government, where salaries can be constitutionally reduced, and for reducing the pay of the members of the General Assembly to $1 50 cents per day.

Mr. Murdock moved to amend said report by striking out the preamble thereto, which motion was carried in the affirmative.

Mr. Stevens then moved farther to amend the same, by striking out from the resolution, all of it, except what provides for reducing the pay of members of the General Assembly, and also to amend it so as to reduce their compensation to $1 per day, which motion was also carried in the affirmative.

Mr. Arion then moved further to amend it by striking out one dollar, and inserting fifty cents; which was also carried in the affirmative.

Mr. Murdock then moved to postpone the further consideration of the said report indefinitely; which was also carried in the affirmative.

Mr. Clark having obtained leave, introduced a bill locating a state road from Jacob's Ford on Silver creek, to the State road on the Muscatituck; which was read the first time—rule dispensed with and read the second time, and referred to a committee of the whole, for Monday next.

Mr. Nelson having obtained leave, presented a bill authorizing the action of disseisin; which was read the first time.

Whereupon,

Mr. Evans moved to reject said bill; which, on the question being put, was decided in the affirmative. The ayes and noes being demanded by Messrs. Law and Blythe, stood as follows, to wit:—

Those who voted in the affirmative were,

Messrs. Blake, Blythe, Bowers, Brownlee, Bullock, Burnett, Child, Dixon, Evans, Hendricks, Huston, Irwin, Jelly, Johnson, Jones, Kennedy, Lomax, Paxton, Riley, Robertson, Stevens, Williams, Wright and Zenor,—24.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Clark, Clendenin, Hill, Hillis, Law, Marshall, M'Call, Nelson, Palmer, Pennington, Reed, Schnee, Tadlock and Maxwell, speaker,—16.

A message from the Senate by Mr. Chambers, a member: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act for the relief of Benjamin Vancleave, and the heirs of Hugh Holmes, deceased;" without amendment. And he then withdrew.

A message from the Senate by Mr. Ray, a member: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act for the assignment of Dower;" without amendment. And he then withdrew.

Mr. Armstrong having obtained leave, introduced a bill authorizing the printing the Acts, Journals and Joint resolutions, of the present General Assembly and for other purposes; which was read the first time—

rule dispensed with, read the second time and referred to a committee of the whole, for Monday next.

A message from the Senate by Mr. Graham, a member: Announcing that the Senate have passed an engrossed bill entitled "An act to enable the commissioners to change the state road from Mauk's ferry to Indianapolis."

And an engrossed bill from this House, entitled "An act providing for the commissioning sheriffs and coroners, and to regulate their duties; with amendments, in which bill and amendments, they desire the concurrence of this House. And he then withdrew.

The first bill was then read the first time and ordered to a second reading on to-morrow. And

On motion,

The House concurred in the amendments made by the Senate, to the second bill.

Ordered, That the Senate be informed thereof.

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

On motion of Mr. Pennington,

The bill in further amendment of the act entitled "An act establishing a county treasurer,"—approved, January 1st, 1817, was taken up and referred to the committee of the whole, to whom was referred the revenue bill.

The engrossed bill from the Senate, entitled "An act, amendatory to an act, entitled "An act for the formation of a new county out of the county of Delaware" —approved Dec. 31st, 1821; was read the third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Child moved to reconsider the vote taken this morning on the rejection of the bill authorizing the action of disseisin—which motion was carried accordingly. And the rule being dispensed with, was read the

second time and referred to a committee of the whole House, and made the order of the day for Monday next.

The engrossed bill from the Senate to legalize the marriage of William Field to Elizabeth Arbuckle, together with the engrossed amendments made by the House of Representatives thereto, was read the third time and passed.

Ordered, That the title of the same be, "An act supplemental to an act, to regulate marriages," and that the Senate be informed thereof, and their concurrence requested.

The House proceeded to consider the orders of the day.

The engrossed bill subjecting real and personal estate to execution, was taken up.

Mr. Hillis moved to re-commit the same to a committee of the whole and made the order of the day for this day—which was decided in the negative. The ayes and noes being called for by Messrs. Murdock and Milbourn, stood as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Armstrong, Blythe, Brownlee, Bullock, Clark, Evans, Hillis, Hendricks, Jelly, M'Call. Nelson, Oliver, Reed, Stevens, Zenor and Maxwell, speaker—17.

Those who voted in the negative were,

Messrs. Blake, Bowers, Burnett, Child, Clendenin, Cotton, Dixon, Edwards, Hill, Everts, Huston, Irwin, Johnson, Jones, Kennedy, Law, Lomax, Marshall, Milbourn, Murdock, Palmer, Paxton, Pennington, Riley, Tadlock, Williams and Wright—27.

The said bill was then read the third time and passed.

The ayes and noes being demanded by Messrs. Arion and Murdock, stood as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blake, Bowers, Bullock, Burnett, Child, Clendenin, Dixon, Edwards, Evans, Everts, Hill, Hendricks, Huston, Irwin, Johnson, Jones, Kennedy, Law, Lomax, Marshall, Milbourn, Murdock, Oliver, Palmer, Paxton, Pennington, Riley, Robertson, Williams and Wright—30.

And those who voted in the negative were.

Messrs. Arion, Armstrong, Blythe, Brownlee, Clark, Cotton, Hillis, Jelly, M'Call, Nelson, Reed, Stevens, Tadlock, Zenor and Maxwell, speaker—15.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate by Mr. Jenckes, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act for the relief of James Garritt;" and an engrossed bill, entitled "An act to establish a state road from Terre Haute to Crawfordsville; which originated in this House, without amendment. And he then withdrew.

The engrossed bill for the incorporation of county libraries, and the engrossed bill altering a certain state road therein mentioned; were severally read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested—and that they be entitled 'Acts.'

Mr. Murdock moved, that this House do now go into the election of an Assistant Engrossing and Enrolling Clerk, which was decided in the negative.

Mr. Arion from the committee of enrolled bills reported: That they have compared the enrolled with

the engrossed bill, entitled 'An act for the relief of the sheriff of Spencer county,' and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Blake having obtained leave, introduced a bill for the relief of the securities of Samuel Powell, late collector of Jackson county ; which was read the first time—rule dispensed with, and read the second time and ordered to be engrossed for a third reading on to-morrow.

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, JANUARY 2d, 1824.

The House met pursuant to adjournment.

Mr. Tadlock from the standing committee of divorces, to whom was referred the petition of Jane Spencer, reported a bill divorcing Jane Spencer from her husband Moses Spencer; which was read the first time—rule dispensed with, and read the second time :

Mr. Wright moved to reject said bill, which was decided in the negative. The rule was then further dispensed with, read the third time—And on the question being put shall the same pass? Was decided in the negative; the ayes and noes being called for by Messrs. Milbourn and Clendenin stood as follows, to wit:

Those who voted in the affirmative were,

MESSRS. Arion, Brownlee, Clendenin, Dixon, Edwards, Evans, Hillis, Hendricks, Jelly, Jones, Nelson, Pennington. Reed, Riley, Schnee, Zenor and Maxwell, speaker—17.

And those who voted in the negative were,

Messrs. Armstrong, Bowers. Bullock, Burnett, Child, Clark, Cotton. Everts, Hill. Huston. Irwin, Johnson, Kennedy Law, Lomax. Marshall, Milbourn, Robertson, Williams and Wright—20.

So the bill did not pass.

Mr. Pennington from the select committee, to whom was referred the petition of sundry persons of Harrison county, reported a bill to authorize an alteration of the state road from New-Albany through Corydon, to Princeton; which was read the first time—rule dispensed with. and read the second time. and ordered to be engrossed for a third reading to-morrow.

Mr. Child from the standing committee on roads, to whom was referred the petition of Joshua Thompson and others, reported a bill authorizing a review of the state road leading from Salem to Bono. and for other purposes; which was read the first time—rule dispensed with, read the second time. and ordered to be engrossed for a third reading to-morrow.

Mr. Arion from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bills, entitled acts:

"An act for the benefit of Benjamin Vancleave, and the heirs of Hugh Holmes, deceased." And

"An act to incorporate the Salem Grammer School."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Tadlock from the standing committee on divorces. to whom was referred the petition of Elijah Hughes. praying to be divorced from his wife Elizabeth, have had the same under consideration, and report that the prayer of the petitioner ought not to be granted. And

On motion,

The House concurred in said report.

Mr. Pennington from the standing committee on divorces, reported a bill for the relief of Resin Jones; which was read the first time. and

On motion of Mr. Bullock,

Was rejected.

The House proceeded to consider the orders of the day.

The engrossed bill from the Senate entitled "An act to enable the commissioners to change part of the state road from Mauck's ferry to Indianapolis, was read the second time, and referred to a committee of the whole on to-morrow.

The engrossed bill for the relief of the widow and three younger children of the late Henry Vanderburgh, of Knox county deceased. The engrossed bill for the relief of the securities of Samuel Powell, collector of taxes for Jackson county. And the engrossed bill for the establishment of a board of trustees, for the establishment and promotion of learning in Clark's Grant; were severally read the third time and passed.

Ordered, That they be entitled acts, and that the Senate be informed thereof, and their concurrence requested.

The House resolved itself into a committee of the whole, on the joint resolution on the subject of domestic manufactures.

Mr. Tadlock in the chair,

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Tadlock reported: That the committee of the whole had, according to order, had the said resolution under consideration, gone through the same, and directed him to report it without amendment.

Ordered, That the same be engrossed for a third reading on to-morrow.

On motion,

The committee of the whole were discharged from the further consideration of the bill, for assessing and

collecting the revenue; and the the same was referred to a select committee of Messrs. Pennington, Bullock, Hillis and Clendenin.

On motion of Mr. Evans,

Resolved, That the select committee to whom was referred the revenue bill, be instructed so to report that bill, as to abolish the office of county treasury by requiring the sheriff to perform the duties of Treasurer.

A message from the Senate by Mr. Jenckes, a member: Announcing that they have passed a joint resolution of the General Assemby, relative to the National Road from Wheeling to the Mississippi, without amendment. And he then withdrew.

A message from the Senate by Mr. Chambers, a member: Announcing that the Senate have passed a bill to dissolve the bans of matrimony between Peter Piles and Catharine his wife, late Catharine Ritchie, in which they desire the concurrence of this House. And he then withdrew.

The said bill was read the first time, and

On motion of Mr. Evans,

Was rejected.

On motion of Mr. Blake,

Resolved, That the select committee to whom was referred the bill, on the subject of the revenue of the state be, and they are hereby instructed, to insert in it a provision, subjecting all sheriffs to trial at the seat of Government for defalcations in the payment of public monies due to the state.

A message from the Senate by Mr. Stapp, a member: Announcing that the Senate refuses to concur in the first amendment made to the bill, legalizing the marriage of William Field to Elizabeth Arbuckle, that they have amended the 5th amendment by striking out the words in the second section, second line as follows—"or hereafter may be:" in the other amendments the Senate concur. In which amendment they desire the concurrence of this House. And he then withdrew.

On motion,

The House receded from the first amendment and concurred in the amendment made by the Senate to said bill.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Gray, a member: Announcing that the Senate has passed an engrossed bill, for the appointment of trustees to receive deeds for lots, granted or purchased for the use of schools, meeting houses, and masonic lodges, which originated in this House with amendments, in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred in the amendments made by the Senate, to the above bill.

Ordered, That the Senate be informed thereof.

The House resolved itself into a committee of the whole, on the bill for the settlement of decedents' estates and other purposes:

Mr. Bowers in the chair,

And after some time spent therein;

Mr. Speaker resumed the chair, and

Mr. Bowers reported: That the committee of the whole had, according to order, had the said bill under consideration, but not having time to go through the same, directed him to ask leave to sit again. Which leave was accordingly granted.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

The House now resolved itself into committee of the whole, on the bill for settling decedents' estates, and other purposes:

Mr. Bowers in the chair,

And after some time spent therein;

Mr. Speaker resumed the chair, and

Mr. Bowers reported: That the committee of the whole had, according to order, had the same under con-

sideration, gone through the same, and made several amendments thereto; in which they directed him to ask the concurrence of this House. And

On motion,

The House concurred in said amendments generally.

Mr. Child moved to amend said bill by striking it out from the enacting clause—which was carried in the negative.

Mr. Hillis then moved to lay it on the table. And debate arising:

The previous question was called for by Mr. Murdock; and being demanded by three members:

The said previous question was put in the form prescribed by the rules of the House, to wit:—Shall the main question be now put? And passed in the affirmative.

The said main question was then put: Shall the said bill be engrossed for a third reading? And was determined in the affirmative.

Ordered, That the same be read a third time on Monday next.

The House resolved itself into a committee of the whole, on the bill for opening and repairing public roads and highways:

Mr. Wright in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Wright reported: That the committee of the whole had, according to order, had the said bill under consideration, made some progress therein, but not having time to go through the same, directed him to ask leave to sit again; which leave was accordingly granted.

The House adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, JANUARY 3d, 1824.

The House met pursuant to adjournment.

Mr. Stevens from the standing committee on roads, to whom was referred the petition of Thomas Estis and others, reported a bill to authorize the altering a certain state road therein named; which was read the first time—rule dispensed with, and read the second time and referred to a committee of the whole on Monday next.

Mr. Nelson from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bill, entitled "An act for the commissioning sheriffs and coroners, and to regulate their duties." and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Arion from the select committee to whom was referred the petition of Moses Fell, of Lawrence county, reported a bill for the relief of certain sheriffs therein named; which was read the first and second times and referred to a committee of the whole on Monday next.

Mr. Murdock from the select committee to whom was referred the the petitions of sundry inhabitants of Franklin and Fayette counties, praying the vacation of a certain state road therein mentioned, beg leave to report that they have had the same under consideration, and find that the money appropriated on said road has been expended—they therefore deem it inexpedient to vacate the same.

In which report the House concurred.

Mr. Oliver from the select committee to whom was referred sundry petitions, praying the location of a state road from Brookville to Harrison, reported a bill to establish certain state roads therein named; which was read the first time—rule dispensed with, read the se-

cond time and ordered to be engrossed for the third on Monday next.

Mr. Burnett from the select committee to whom was referred the petition of Edward Brown and others, trustees of the New-Albany School, reported a bill supplementary to an act, entitled an act incorporating the New Albany school; which was read the first time—rule dispensed with, read the second time and ordered to be engrossed for a third reading on Monday next.

Mr. Paxton from the select committee to whom was referred the petition of George Smith and others, of Madison county, praying for a change in the boundaries of their said county; have had the same under consideration, and are of opinion, that the prayer of the petitioners ought not to be granted. And

On motion,

The House concurred in said report.

Mr. Lomax from the select committee to whom was referred the engrossed bill from the Senate, to repeal an act, entitled "An act for establishing the western boundary of Wayne county, and for other purposes;" approved, January 11th, 1823, reported the same with amendments; in which amendments the House concurred—and the same with its amendments, was read the second time, and referred to a committee of the whole for Monday next.

Mr. Arion from the joint committee for enrolled bills reported, that they did on yesterday present to his Excellency, the Governor, for his approval and signature;

"An act for the benefit of Benjamin Vancleve, and the heirs of Hugh Holmes, deceased."

"An act for the relief of the sheriff of Spencer county."

"An act to incorporate the Salem Grammar School."

On motion of Mr. Nelson,

Resolved, That a select committee be appointed to enquire into the expediency and practicability of the

cutting by, and for the use and benefit of the state, a canal round the Falls of the Ohio river at Jeffersonville; and also enquire into the affairs of the old canal commissioners, respecting their proceedings thereon; the use made of the money appropriated thereto, and the amount of money raised by lottery, and the use which has been made of such money; and report a bill authorizing a final settlement of all said concern. Messrs. Nelson, Burnett and Pennington were appointed that committee.

On motion of Mr. Huston,

Resolved, That the Senate be informed that the House of Representatives have no further use for the services of the sergeant-at-arms.

Mr. Blake moved that the vote taken on yesterday on the rejection of the bill divorcing Jane Spencer, from her husband, Moses Spencer, should be re-considered; which was carried in the affirmative. And on the question being put, shall the said bill pass? Was carried in the affirmative.

The ayes and noes being demanded by Messrs. Murdock and Bullock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Blake, Blythe, Brownlee, Burnett, Dixon, Edwards, Evans, Hillis, Hendricks, Jelly, Jones, Marshall, M'Call, Murdock, Nelson, Oliver, Pennington, Reed, Riley, Schnee, Zenor and Maxwell, speaker—23.

And those who voted in the negative were,

Messrs. Bowers, Bullock, Clark, Cotton, Everts, Hill, Huston, Irwin, Kennedy, Lomax, Milbourn, Palmer, Robertson, Tadlock, Williams & Wright—16.

And so the said bill passed.

Ordered, That it be entitled "An Act"—and that the Senate be informed thereof, and their concurrence requested.

A message from the Governor, by Mr. Payne, his private Secretary:

Mr. Speaker,

I am directed by his excellency, to inform the House of Representatives that he did on yesterday, approve and sign—

"An act for the benefit of Benjamin Vancleve, and the heirs of Hugh Holmes, dec'd."

"An act to authorize domestic attachments, and to regulate the proceedings thereon."

"An act attaching a part of the counties of Montgomery and Putnam to the county of Parke."

"An act to provide for the partition of real estate."

"An act concerning proceedings in ejectment, distress for rent, and tenants at will holding over."

"An act to prevent unlawful gaming."

"An act for the formation of a new county out of the counties of Parke and Wabash."

"An act establishing a county seminary in the county of Knox."

"An act organizing the supreme court, and defining its powers and duties." All which originated in the House of Representatives.

On motion,

The standing committee on divorces, were discharged from the further consideration of that subject; and that petitioners have leave to withdraw their respective petitions.

The House proceeded to consider the orders of the day.

The engrossed bill to authorize an alteration in the state road leading from New-Albany, by Corydon to Princeton, was referred to a committee of the whole for Monday next.

The engrossed joint resolution on the subject of domestic manufactures, was read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The engrossed bill declaring certain streams therein named, public highways, read the third time, and ordered to lie on the table.

The engrossed bill authorizing a review of the state road leading from Salem to Bono, and for other purposes, was read the third time and passed.

Ordered, That it be entitled "An act"—and that the Senate be informed thereof, and their concurrence requested.

The House according to order, resolved itself into a committee of the whole, on the bill for opening and repairing public roads and highways:

Mr. Wright in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Wright reported: That the committee of the whole had, according to order, had the same under consideration, but not having time to go through the same, directed him to ask leave to sit again—which leave was accordingly granted.

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

The House again resolved itself into a committee of the whole, on the bill for opening and repairing public roads and highways:

Mr. Wright in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Wright reported: That the committee of the whole had, according to order, had the same under consideration, gone through the same, and made several amendments thereto, and directed him to ask the concurrence of the House. And

On motion,

The House concurred in said amendments severally.

Mr. Murdock moved to amend said bill by striking out "18 years," wherever it occurs in said bill; and insert "21"—so as to read that no person should be bound to work on the roads if under the age of 21 years—which was carried in the affirmative.

The ayes and noes being called for by Messrs. Murdock and Irwin, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Armstrong, Blythe, Bowers, Brownlee, Child, Clark, Cotton, Dixon, Evans, Everts, Hill, Huston, Irwin, Lomax, Marshall, M'Call, Murdock, Nelson, Oliver, Palmer, Schnee, Wright & Zenor—24.

Those who voted in the negative were,

Messrs. Blake, Burnett, Edwards, Hillis, Hendricks, Jelly, Johnson, Jones, Kennedy, Law, Milbourn, Pennington, Reed, Riley, Robertson, Stevens, Tadlock, Williams and Maxwell, speaker—19.

So the same was stricken out, and 21 years inserted.

Ordered, That the same be engrossed for a third reading on Monday next.

The House resolved itself into a committee of the whole, on the bill regulating divorces:

Mr. Edwards in the chair,

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Edwards reported: That the committee of the whole had, according to order, had the said bill under consideration, and have amended the same by striking it out from its enacting clause, and adopting a substitute in lieu thereof; in which they have directed me to ask the concurrence of the House. And

On motion,

The House concurred in said amendment.

The House resolved itself into a committee of the whole, on the bill to encourage the killing of wolves :

Mr. Williams in the chair ;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Williams reported : That the committee of the whole had, according to order, had the same under consideration, gone through the same, and directed him to report the same with amendments ; and to ask the concurrence of the House. And

On motion,

The House concurred in said amendments generally.

Mr. Zenor moved indefinitely to postpone said bill : And debate arising, the previous question was called for by Mr. Murdock ; and being demanded by two members :

The said previous question was put in the form prescribed by the rules of the House, to wit : Shall the main question be now put? And carried in the affirmative.

The main question was then put, to wit : Shall said main bill be engrossed for a third reading on Monday next? Which was carried in the negative.

The House adjourned until 9 o'clock, Monday morning.

MONDAY MORNING, JANUARY 5th, 1824.

The House met pursuant to adjournment.

Mr. Paxton presented the petition of Amasa Makepeace, of Madison county, praying certain relief therein named, which was read and referred to the standing committee on education.

Mr. Child presented the remonstrance of Margaret Osborn, against the petition of her husband Jonathan

Osborn, praying a divorce from the said Margaret; which was read and ordered to lie on the table.

Mr. Nelson from the joint committee for enrolled bills reported: That they have compared the enrolled bills entitled, as follows, to wit:

"An act amendatory to an act, entitled "An act for the formation of a new county out of the county of Delaware"—approved Dec. 31st, 1821.

"An act to legalize the marriage of William Field to Elizabeth Arbuckle," which originated in the Senate.

"An act for the assignment of Dower."

"An act for the appointment of trustees to receive deeds for lots and lands given or purchased for the use of schools, meeting houses and masonic lodges."

"A joint resolution relative to the National Road from Wheeling to the Mississippi." And

"An act regulating the taking up of animals going estray, and water crafts and other articles of value adrift," with the engrossed bills, and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Blake from the select committee, to whom was referred the engrossed bill from the Senate to provide for the election of electors of President and Vice President of the United States, reported the same with amendments, which amendments the House rejected.

The said bill was then read the third time and passed, as amended in the committee of the whole.

Ordered, That the Senate be informed thereof, and their concurrence requested.

A message from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate has this day received official information, that his excellency the Governor did on the 2d of January, approve and sign the following acts, viz:

"An act to incorporate the Salem Grammar School,"

"An act attaching Allen county to the counties of Randolph and Wayne, for the purposes therein named."

"An act for the relief of the sheriff of Spencer county," And

"An act making additional appropriations for the court house at Indianapolis."

All of which originated in the Senate. And he then withdrew.

Mr. Arion from the joint committee of enrolled bills reported: That they have compared the enrolled with the engrossed bills, entitled "An act for the relief of James Garritt."

"An act to establish a state road from Terre-Haute to Crawfordsville."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Riley from the select committee, to whom was referred the petition of Jonathan Osborn, reported a bill divorcing the said Jonathan Osborn, from his wife Margaret, which was read the first time, and on motion of Mr. Murduck, rejected.

The engrossed bill attaching a part of the county of Greene, to the county of Sullivan, was taken up, read the third time, and ordered to lie on table until Monday next.

On motion of Mr. Wright,

Resolved, That a select committee be appointed to inqure into the expediency of altering the boundary lines of the counties of Hamilton and Madison, with leave to report thereon by bill or otherwise.

Whereupon,

Messrs. Wright, Hillis and Lomax, were appointed that committee.

A message from the Senate by Mr. Stapp, a member: Announcing that the Senate have passed an en-

grossed bill, entitled "An act regulating the militia of the state of Indiana. He then withdrew.

Which said bill was read the first time, and ordered to lie on the table.

A message from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate has amended the bill entitled an act to establish a state road from Madison to Greensburgh, which originated in this House, by striking it out from the end of the first section, and inserting the sections as numbered in the engrossed amendments, and by changing the title to an act establishing certain state roads therein named. In which amendments they desire the concurrence of this House. And he then withdrew.

The said amendments were read the first time and ordered to lie on table.

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

The House proceeded to consider the orders of the day.

The engrossed bill supplemental to an act entitled "An act incorporating the New-Albany School."

"The engrossed bill establishing certain state roads therein named."

"The engrossed bill regulating divorces." And

"The engrossed bill declaring certain streams therein named public highways."

Were severally read the third time and passed.

Ordered, That they be entitled 'Acts,'—and that the Senate be informed thereof, and their concurrence requested.

The bill concerning judgments and executions, was ordered to lie on the table. And the committee of the whole were discharged from the further consideration thereof.

The House according to order, resolved itself into a

committee of the whole, on the bill regulating the fees of the several officers and persons therein named:

Mr. Stevens in the chair,

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Stevens reported: That the committee of the whole had according to order, had the said bill under consideration, gone through the same, and made several amendments thereto, and directed him to ask the concurrence of the House.

Whereupon,

The House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, JANUARY 6, 1824.

The House met pursuant to adjournment.

Mr. Clendenin presented the petition of Dean Barnes and others, citizens of Orange county, praying certain relief therein named; which was read and referred to a select committee, of Messrs. Clendenin, Riley and Reed.

Mr. Stevens presented the petition of Jarub Richmond and others, praying the location of a certain state road therein named; which was read and ordered to lie on the table.

Mr. Edwards presented the remonstrance of James Riley and others, citizens of Perry county, in opposition to the petition of Stephen Chenault; which was read and ordered to lie on the table.

Mr. Palmer from the select committee to whom was referred the petition of William M. Purdy and others, praying the adoption of a certain county road from Carlisle to Terre-Haute, as a state road, and appropriating

some part of the three per cent fund, thereon reported: that they have had the same under their consideration; and think it is inexpedient at this time to grant the prayer of the petitioners—inasmuch as your committee cannot with propriety, recommend the appropriation of any part of the three per cent. fund thereon. And

On motion,

The house concurred in said report.

A message from the Senate, by Mr. Farnham, their assistant Secretary: Announcing that the Senate have passed an engrossed bill, entitled "An act for the benefit of the widow and three younger children of Henry Vanderburgh, late of Knox county, deceased;" which originated in this House, without amendment. And

An engrossed bill, entitled "An act for the relief of the securities of Samuel Powell, collector of taxes for the county of Jackson," which also originated in this House, with an amendment; in which they desire the concurrence of this House. And then withdrew.

On motion,

The House concurred in said amendment.

Ordered, That the Senate be informed thereof.

On motion.

The House again resolved itself into a committee of the whole, on the bill regulating the fees of the several officers and persons therein named:

Mr. Stevens in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Stevens reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, made several amendments thereto, and directed him to ask the concurrence of the House therein.

On motion,

The House concurred in all the amendments generally, except two; on which the concurrence was taken separately.

The first of which relates to the alteration made in the compensation to grand-jurors. And on the question, will the House concur in said amendment, as made in the committee of the whole? Was carried in the affirmative. The ayes and noes being demanded by Messrs. Zenor and Everts, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blake, Brownlee, Clendenin, Dixon, Edwards, Evans, Everts, Hill, Jones, Law, Lomax, M'Call, Milbourn, Nelson, Reed Riley, Robertson, Schnee, Tadlock, Williams, Wright and Maxwell, speaker—22.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blythe, Bowers, Burnett, Child, Clark, Cotton, Hillis, Hendricks, Huston, Irwin, Jelly, Johnson, Kennedy, Marshall, Palmer, Paxton, Pennington and Zenor—20.

And on the question being put, will the House concur in the other amendment made in the committee of the whole; which relates to limiting the allowance to sheriffs and clerks, to fifty dollars per annum? Which was carried in the affirmative. The ayes and noes being demanded by Messrs. Edwards and Tadlock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Blake, Brownlee, Child, Clendenin, Cotton, Dixon, Everts, Hendricks, Huston, Irwin, Johnson, Kennedy, Marshall, M'Call, Oliver, Palmer, Reed, Riley, Robertson, Schnee, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—27.

And those who voted in the negative were.

Messrs. Arion, Blythe, Bowers, Burnett, Clark,

Edwards, Evans, Hill, Hillis, Jelly, Jones, Law, Lomax, Milbourn, Murdock, Nelson & Pennington—17.

A message from the Senate, by Mr. Raridon, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act, supplemental to an act, entitled "An act for the incorporation of the New-Albany School," which originated in this House, without amendment. And

"An engrossed bill, entitled "An act for the relief of Elias Willets, late sheriff of Wayne county; in which they desire the concurrence of this House. And then he withdrew.

Which was read the first time—rule pispensed with and read the second time, and ordered to be read a third time to-morrow.

A message from the Senate, by Mr. Grass, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act, respecting certain public property, in Spencer county; in which they desire the concurrence of this House. And then withdrew.

The same was read the first time—rule dispensed with and read the second time, and ordered to be read the third time to-morrow.

A message from the Senate, by Mr. Gregory, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act establishing the permanent seat of Government; in which they desire the concurrence of this House. And he then withdrew.

Which was read the first and second time—rule having been dispensed with, and referred to a committee of the whole for to-morrow.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

Mr. Everts from the committee on education, reported a bill concerning the reserved township in Monroe county; which was read the first time—rule dispensed

with and read a second time, and referred to a committee of the whole to-morrow.

On motion of Mr. Child,

The resolution from the Senate, on the subject of caucus nominations by Congress, of President and Vice President of the United States, was taken up; and

On motion, rejected.

Mr. Evans then presented a resolution on that subject, which was read, and ordered to lie on the table.

Mr. Arion from the joint committee for enrolled bills reported, that they did on this day present to his Excellency, the Governor, for his appoval and signature—

"An act, amendatory to an act, entitled "An act for the formation of a new county out of the county of Delaware"—approved December 31st 1821.

"An act to establish a state road from Terre-Haute to Crawfordsville."

"An act for the appointment of trustees to receive deeds for lots or lands, given or purchased for the use of schools, meeting-houses, or masonic lodges.

"An act to provide for commissioning sheriffs and coroners, and to regulate their duties."

"An act for the assignment of dower."

"An act regulating the taking up of animals going estray, and water crafts and other articles of value adrift."

"An act legalizing the marriage of William Field and Elizabeth Arbuckle." And

"A joint resolution relative to the National Road from Wheeling to the Mississippi."

The House proceeded to consider the orders of the day.

The bill to license and regulate taverns, was read the third time and passed.

Ordered, That the same be entitled 'An act,' and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill providing for opening and repair-

ing public roads and highways, was taken up, and recommitted to a committee of the whole to-morrow.

A message from the Senate by Mr. Milroy, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act authorizing a review of the state road from Salem to Bono, and for other purposes," which originated in this House with an amendment, in which they desire the concurrence of this House. And then withdrew.

And on motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

The engrossed bill authorizing an alteration in the state road leading from New-Albany through Corydon to Princeton, was taken up, and ordered to lie on the table.

The House resolved into a committee of the whole, on the bill from the Senate to enable the commissioners to change a part of the state road from Mauk's ferry to Indianapolis:

Mr. Milbourn in the chair,

And after some time spent therein;

Mr. Speaker resumed the chair, and

Mr. Milbourn reported: That the committee of the whole had, according to order, had the same under consideration, gone through the same, and made an amendment thereto, in which they directed him to ask the concurrence of this House.

On motion,

The House concurred therein.

Ordered, That the amendments be engrossed and the same be read the third time to-morrow.

The House according to order resolved itself into a committee of the whole, on the bill authorizing the action of Disseisin:

Mr. Murdock in the chair,

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Murdock reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, and made an amendment thereto, in which he was directed to ask the concurrence of this House. And

On motion,

The House concurred therein.

Ordered, That the same be engrossed for a third reading on to-morrow.

The House resolved itself into a committee of the whole on the bill authorizing a review of a certain state road therein named:

Mr. Schnee in the chair,

And after some time spent therein;

Mr. Speaker resumed the chair, and

Mr. Schnee reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, and made several amendments thereto, and directed him to ask the concurrence of the House therein. And

On motion,

The House concurred in said amendments generally.

Ordered, That the same be engrossed for a third reading on to-morrow.

Mr. Wright moved to reconsider the vote on Saturday last, on the refusal of the House to order the bill to encourage the killing of Wolves, to be engrossed for a third reading on Monday.

Which was carried in the negative.

Whereupon,

The House adjourned until to-morrow morning 6 o'clock.

WEDNESDAY MORNING, JANUARY 7, 1824.

The House met pursuant to adjournment.

Mr. Nelson presented the petition of George Pottorf and others, citizens of Clark county, praying for the location of a state road from Madison by London and Bethlehem, to Jeffersonville; which was read, and ordered to lie on the table.

Mr. Clendenin presented certain claims of Adlai Campbell, agent of the French Lick reserve; which was read and referred to the committee of claims and accounts.

The bill for the relief of Stephen Chenault, was taken up, and postponed until the first Monday in January 1825.

Mr. Child presented the following preamble and resolutions, which was read and ordered to lie on the table, to wit:

Whereas the free and unbiassed exercise of the right of suffrage, is essential to the liberty of freemen and to the preservation and durability of our republican institutions, and as the office of Chief Magistrate is one which concerns every American and affects every part of the Federal Union, and whereas the effects of Congressional caucusing is to forestall public opinion, and create prepossessions in favour of the successful candidate; and whereas the aforesaid practice of Congressional caucusing, tends to lessen the vigilance of the people in examining into the character and qualifications of candidates, which if grown into habit and established as precedent, would be fatal to American liberty:

Therefore,

Resolved by the House of Representatives of the state of Indiana, That they view the practice of Congressional caucusing, as a dangerous experiment on republican liberty; which if not early checked, will eventually endanger the whole fabric of our political institutions.

Resolved, That our Senators be instructed, and our Representatives be requested to use their exertions and influence to prevent the establishment of a practice so alarming in its character, and fatal in its consequences as that of Congressional caucusing.

The engrossed bill from the Senate entitled "An act respecting certain public property in the county of Spencer," was read the second time, and referred to a committee of the whole to morrow.

The House resolved itself into a committee of the whole, on the bill to repeal an act, entitled "An act for altering the western boundary of Wayne county, and for other purposes therein named; which originated in the Senate—and the bill on that subject, reported by the select committee:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Jones reported: That the committee of the whole had, according to order, had the said bill under consideration, gone through the same, made one amendment to the first named bill; in which they directed him to ask the concurrence of the House. And

On motion,

The House concurred therein.

Ordered, That the said amendment be engrossed for a third reading to-morrow.

The House resolved itself into a committee of the whole, on the bill for the relief of certain sheriffs therein named:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Riley reported: That the committee of the whole had amended the same, by striking it out from its enacting clause, and adopting a substitute in lieu thereof, in which admendment they desired the concurrence of the House.

And on motion,

The House concurred therein.

The said bill was ordered to be considered as engrossed, read the third time, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The House resolved itself into a committee of the whole, on the bill authorizing the printing and distributing the laws, journals and joint resolutions of the present General Assembly:

After some time spent therein,

The Speaker resumed the chair, and

Mr. Everts reported the same with amendments, and asked the concurrence of the House therein.

On motion,

The House concurred in all the amendments except the amendment that authorizes the binding of copies of the revised laws for the use of the members of the present General Assembly; in which the question of concurrence was taken separately. And on the question being put, will the House concur in said amendment? Was carried in the affirmative. The ayes and noes being demanded by Messrs. Tadlock and Stevens, were as follows:

Those who voted in the affirmative were,

Messrs. Blake, Dixon, Edwards, Evans, Everts, Irwin, Jelly, Johnson, Jones, Law, Lomax, Marshall, M'Call, Milbourn, Murdock, Oliver, Palmer, Paxton, Pennington, Reed, Schnee, Williams and Zenor—23.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blythe, Bowers, Brownlee, Burnett, Child, Clendenin, Cotton, Hill, Hillis, Huston, Hendricks, Kennedy, Nelson, Riley, Robertson, Stevens, Tadlock, Wright and Maxwell, speaker—21.

Mr. Arion moved to strike out three years, in the 12th section of said bill; which authorizes the Secre-

tary of state and Auditor to contract with the public printer for printing for the term of 3 years; which was carried in the negative.

Mr. Child moved to add the following to the end of the 5th section of said bill; which was carried in the negative. "Provided that each member of the House of Representatives, shall deposit one dollar with the Treasurer of state, before he shall be entitled to a bound volume of said revised laws.

The said bill was then ordered to be engrossed for a third reading to-morrow.

A message from his excellency the Governor by Mr. Payne, his private secretary: Announcing that his excellency did, on this day, approve and sign—

"An act to establish a state road from Terre Haute to Crawfordsville."

"An act for the relief of James Garritt."

"An act for the appointment of trustees to receive deeds for lots and lands, given or purchased for the use of schools, meeting houses, and masonic lodges."

"An act to provide for commissioning sheriffs and coroners, and to regulate their duties."

"An act for the assignment of Dower."

"A joint resolution of the General Assembly of the state of Indiana, relative to the National Road from Wheeling to the Mississippi."

All of which originated in the House of Representatives. And then he withdrew.

A message from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate has received official information that his excellency the Governor did, on this day approve and sign the following acts, which originated in the Senate, viz:

"An act to legalize the marriage of William Field to Elizabeth Arbuckle."

"An act regulating the taking up of animals going estray, and water crafts and other articles of value adrift." And

"An act amendatory to an act, entitled "An act for the formation of a new county out of the county of Delaware;"—approved, Dec. 31st, 1823.

Mr. Blake presented the following preamble and resolutions, which were read and ordered to lie on the table, viz:

Whereas the encouragement given to caucus nominations for the offices of President and Vice President of the United States, excites in us the liveliest apprehensions for the safety of the Union, because we believe it to be a practice trammelling the people in the exercise of their dearest franchise—at war with their feelings and the principles of their political institutions—nourishing the growth of party intrigue, which carries in its train every species of dangerous and degrading corruption, and a practice which if not checked in its progress will ultimately undermine the sacred rights, the prosperity and happiness of the American people. Therefore, in obedience to our duty to the state we represent, and to our fellow citizens of the Union,

Resolved by the House of Representatives of the General Assembly of the state of Indiana, That it is the right of the people reserved by them in the constitution, to elect the President and Vice President of the United States, and that any attempt by Congressional nominations in caucus or otherwise, to exercise this invaluable privilege, unless authorized by the constitution, should be regarded by the American people as a dangerous encroachment on their rights, tending to the ruin of the republic.

Resolved further, That his excellency the Governor be requested to transmit to our Senators and Representatives in Congress, this plain and matured opinion expressed by the House of Representatives of the people of this state.

The House adjourned until 2 o'clock P. M.

2 *o'clock, P. M.*

The House assembled.

The House proceeded to consider the preamble and resolutions offered by Mr. Blake, this morning. The same were again read; and

On motion of Mr. Nelson,

Indefinitely postponed. The ayes and noes being demanded by Messrs. Blake and Nelson, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Armstrong, Bowers, Brownlee, Burnett, Child, Clark, Clendenin, Dixon, Edwards, Evans, Everts, Hillis, Hendricks, Huston, Irwin, Johnson, Jones, Kennedy, Law, Lomax, Marshall, M'Call, Milbourn, Murdock, Nelson, Palmer, Paxton, Robertson, Schnee, Stevens, Tadlock, Williams Wright, Zenor and Maxwell, speaker—36.

Those who voted in the negative were,

Messrs. Blake, Blythe, Hill, Jelly, Oliver, Pennington, Reed and Riley—8.

So the same was indefinitely postponed.

The House proceeded to consider the orders of the day.

The engrossed bill from the Senate, entitled "An act for the relief of Elias Willets, late sheriff of Wayne county," was read the third time, and passed.

Ordered, That the Senate be informed thereof.

The bill regulating the fees of the several officers, and persons therein named, was ordered to be engrossed for a third reading to-morrow.

The House resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act establishing the permanent seat of Government of the state of Indiana:

And after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Evans reported the same with amendments; in which he desired the concurrence of the House. And

On motion,

The House concurred therein generally.

Mr. Pennington moved to strike out the words "second Monday in January, in the year 1825," in the first section of said bill, and insert "first Monday of December 1825." Debate arising, the previous question was called for by Mr. Murdock, and being demanded by three members—

The said previous question was put in the form prescribed by the rules of the House, to wit:—Shall the main question be now put? And passed in the affirmative.

The said main question was then put, to wit: Shall the said bill be read the third time now? Which was carried in the affirmative.

The said bill with its amendments, was then read the third time and passed.

The ayes and noes being called for by Messrs. Zenor and Pennington, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Blythe, Bowers, Brownlee, Clark, Dixon, Everts, Hill, Hillis, Hendricks, Irwin, Jelly, Jones, Lomax, M'Call, Murdock, Oliver, Paxton, Reed, Riley, Robertson, Schnee, Williams, Wright and Maxwell, speaker—25.

And those who voted in the negative were,

Messrs. Armstrong, Burnett, Child, Clendenin, Cotton, Edwards, Evans, Huston, Johnson, Marshall, Milbourn, Nelson, Palmer, Pennington, Tadlock and Zenor—17.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Whereupon,

The House adjourned until to-morrow morning nine o'clock.

THURSDAY MORNING, JANUARY 8, 1824.

The House met pursuant to adjournment.

Mr. Johnson presented the petition of James Kinman, sheriff of Pike county, praying certain relief therein named; which was read, and referred to the committee of claims and accounts.

Mr. Everts from the standing committee on education, reported a bill relating to county seminary funds; which was read the first time—rule dispensed with and read the second time, and referred to a committee of the whole to-morrow.

A message from the Senate, by Mr. Chambers, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act for the relief of certain lessees of reserved lands;" in which they desire the concurrence of this House. And he then withdrew.

The said bill was read the first time—rule dispensed with, read the second time, and ordered to lie on the table.

A message from the Senate, by Mr. Gregory, a member: Announcing that the Senate concur in the amendments made by the House of Representatives to the engrossed bill from the Senate, entitled "An act for establishing the permanent seat of Government for the state of Indiana. And he then withdrew.

The House proceeded to consider the engrossed bill from the Senate, entitled "An act to regulate the militia of the state of Indiana." Sundry amendments were

made to said bill, by the House; which were ordered not to be put on the journals. The said amendments were engrossed, and together with the bill, were read the third time, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The House proceeded to consider the amendments made by the Senate to the engrosed bill, entitled "An act establishing a state road from Madison to Greensburgh; several amendments to said amendments were offered and adopted by consent—and the House concurred in said amendments made by the Senate, except that part of the 7th section of said amendments as relates to the state roads running through Crawford county, which was stricken out, and the name of "Seth M. Levinworth," was stricken out, and that of Peter Stalcups" inserted.

Ordered, That the said amendments be engrossed, and together with the bill be read a third time to-morrow.

A message from the Senate, by Mr. Harrison, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act authorizing the county commissioners of Switzerland county, to hold a special session for the purposes therein named," without amendment. And that they have passed an engrossed bill, entitled "An act to establish and regulate ferries"—both of which originated in this House, with several amendments; in which they desire the concurrence of this House. And then withdrew.

On motion,

The House concurred in all the amendments except to the 11th section; in which the House did not concur.

Ordered, That the Senate be informed thereof.

Mr. Nelson from the committee for enrolled bills reported, that they have compared the enrolled with the engrossed bills, entitled—

"An act authorizing a review of the state road from Salem to Bono, and for other purposes." And

"An act to provide for the election of electors of President and Vice-President of the United States," and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

The following engrossed bills were read the third time and passed, to wit:

"Providing for the settlement of decedents' estates, and other purposes."

"Authorizing the review of a certain state road therein named."

"To repeal an act to alter the western boundary line of Wayne county"—approved, January 11th 1823.

Ordered, That they be entitled "Acts," and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill authorizing the writ of disseisin, was read the third time, and passed.

The ayes and noes being demanded by Messrs. Stevens and Tadlock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Brownlee, Clark, Clendenin, Hill, Hillis, Hendricks, Huston, Johnson, Law, Lomax, Marshall, Murdock, Nelson, Palmer, Paxton, Pennington, Riley, Robertson, Tadlock, Williams, Wright and Maxwell, speaker—23-

And those who voted in the negative were,

Messrs. Armstrong, Blake, Bullock, Burnett, Cotton, Dixon, Edwards, Evans, Everts, Irwin, Jones and Stevens—12.

Ordered, That the same be entitled "An act"—and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill from the Senate, entitled "An act to enable the commissioners to change a part of the state road from Mauk's ferry to Indianapolis," was read the third time with its amendments, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The House resolved into a committee of the whole, on the bill concerning the reserve township in Monroe county:

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Law reported the same with several amendments, in which he desired the concurrence of the House.

And on motion,

The House concurred therein generally.

Mr. Pennington then moved to postpone said bill until the first Monday in December next.

Which was carried in the negative.

Ordered, That the said bill be engrossed and read the third time to-morrow.

The House resolved itself into a committee of the whole, on the bill to establish a state road from Jacob's Ford on Silver creek, to the Slate Ford on the Muskacatuck:

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Child reported the same with one amendment, in which he asked the concurrence of the House.

On motion,

The House concurred therein.

Ordered, That the same be engrossed and read a third time to-morrow.

The House resolved itself into a committee of the whole, on the engrossed bill from the Senate entitled "An act respecting certain public property in the county of Spencer:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Reed reported the same with one amendment in which he desired the concurrence of the House. And

On motion,

The House concurred therein.

Ordered, That the same be engrossed and together with the bill, be read a third time to-morrow.

The revised bill to establish seats of justice in new counties, was read the first time—rule dispensed with, read the second and third times and passed.

Ordered, That the same be entitled 'An act,'—and that the Senate be informed thereof, and their concurrence requested.

The revised bill for the preservation of certain public lands, and for the organization of township schools, was read the first time—rule dispensed with, read the second time, and referred to the standing committee on education.

Whereupon,

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, JANUARY 9, 1824.

The House met pursuant to adjournment.

Mr. Nelson from the standing committee of claims and accounts, to whom was referred the engrossed bill from the Senate, entitled "An act for the relief of Sevier Lewis. reported the same with amendments, in which the House concurred.

Ordered, That the same with the amendments, be read a third time to-morrow.

The House resolved itself into a committee of the whole, on the bill for opening and repairing public roads and highways:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Stevens reported the same with amendments, in

which he desired the concurrence of the House. And

On motion,

The House concurred in said amendments severally, except the third amendment to section 11th ; which imposes six days work on lawyers and physicians, where they are not the owner of real estate ; in which the House did not concur.

Mr. Murdock moved to further amend said bill, by striking out the word "three," in the 11th section, and insert "two ;" so that persons not owning real estate, should be bound to work but two days in each year on roads—which was decided in the negative. The ayes and noes being demanded by Messrs. Murdock and Hillis, were as follows, to wit :

Those who voted in the affirmative were,

Messrs. Arion, Blythe, Burnett, Cotton, Dixon, Hillis, Hendricks, Huston, Irwin, Law, M'Call, Murdock, Oliver, Reed, Stevens, Tadlock and Zenor—18.

And those who voted in the negative were,

Messrs Armstrong, Blake. Bowers, Brownlee, Child, Clark, Clendenin, Edwards, Evans, Everts, Hill, Jelly, Johnson, Jones, Kennedy, Lomax, Marshall, Milbourn, Nelson, Palmer, Paxton, Pennington, Riley, Robertson, Williams, Wright and Maxwell, sp'r—27.

Mr. Bullock moved to add the following to the end of the 11th section of said bill, which was adopted, to wit :—"And that no supervisor shall be authorized to receive in payment for any default in failing to work upon the highway, any county order, except certificates for services as grand-jurors.

Ordered, That the same be engrossed and read the third time to-morrow.

Whereupon,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

A message from the Senate, by Mr. Milroy, a member: Announcing that the Senate have receded from their amendment to the bill, entitled "An act to establish and regulate ferries"—which originated in this House. And that the Senate have concurred in the amendments made by the House of Representatives, to the engrossed bill, entitled "An act to enable the commissioners to change a part of the state road from Mauk's ferry to Indianapolis; which originated in the Senate. And he then withdrew.

A message from the Senate, by Mr. Stapp, a member: Announcing that the Senate have concurred in all the amendments except the 6th amendment made by this House to the bill, entitled "An act organizing the militia of the state of Indiana." And that the Senate have passed an engrossed bill, entitled "An act, supplemental to an act, entitled "An act to incorporate the town of Madison, in the county of Jefferson," in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House receded from the said amendment to the militia bill.

Ordered, That the Senate be informed thereof.

The last named bill was read the first time, rule dispensed with, and read the second time, and ordered to be read the third time to-morrow.

A message from the Senate, by Mr. Ray, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act to regulate judicial circuits, and to fix the time of holding courts therein;" in which they desire the concurrence of this House. And he then withdrew.

The same was read first time—rule dispensed with, read the second time, and referred to a committee of the whole to-day.

The House resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act to regulate judicial circuits, and to fix the times of holding courts therein:"

After some time spent therein,

The Speaker resumed the chair, and

Mr. Jelly reported the same with several amendments, and desired the concurrence of the House.

And on motion,

The House concurred therein severally.

Ordered, That the same be engrossed and read the third time to-morrow.

A message was received from his Excellency, the Governor, by Mr. Payne, his private Secretary, on the subject of the $5000 deposited in the Vincennes Bank, by the late Governor, Jonathan Jennings, which was read, and with the documents accompanying the same, referred to the committee of ways and means.

A message from the Senate, by Mr. Milroy, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act regulating the duties and jurisdiction of justices of the peace;" In which they desire the concurrence of this House. And then withdrew.

The same was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole on Monday next.

The engrossed bill to establish a state road from Jacobs' Ford on Silver creek, in Clark county, to the Slate Ford on the South fork of the Muskacatuck, in Scott county; and the engrossed bill to regulate the fees of the several officers and persons therein named, were severally read the third time, and passed.

Ordered, That the same be entitled "Acts," and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill from the Senate, entitled "An act respecting certain public property in the county of Spen-

cer," was read the third time with its amendments, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The House proceeded to consider the amendments made by the Senate to the engrossed bill, entitled "An act to establish a state road from Madison to Greensburgh, and the amendments made by this House to said amendments—the same were read the third time, and passed.

Ordered, That the Senate be informed thereof and their concurrence requested.

Mr. Arion from the joint committee for enrolled bills reported, that they have compared the following enrolled with the engrossed bills, entitled—

"An act for the benefit of the widow and three younger children of Henry Vanderburgh, late of Knox county, deceased"

"An act for the relief of the securities of Samuel Powell, collector of Taxes for the county of Jackson." And

"An act, supplemental to an act, entitled "An act incorporating the New Albany School"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Nelson from the joint committee for enrolled bills reported, that they have compared the enrolled with the engrossed bill, entitled "An act authorizing the county commissioners of Switzerland county, to hold a special session, for the purposes therein named"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Nelson from the committee of claims and accounts, reported a bill for the relief of sundry persons therein named; which was read the first time—rule

dispensed with and read the second time, and ordered to lie on the table.

The House adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, JANUARY 10, 1824.

The House met pursuant to adjournment.

Mr. Nelson from the select committee to whom was referred the report of George White, agent of the penitentiary, made a report on that subject, and also. reported a bill authorizing the payment of certain claims on account of the penitentiary. Which were read and ordered to lie on the table.

Mr. Blake from the select committee to whom was referred, sundry documents relating to the navigation of the river Wabash, reported a bill for improving the navigation of said river. And also, the following detailed report on that subject, which were read and referred to a commtttee of the whole on Monday next, to wit:

The committee to whom was referred the documents, transmitted to the Legislature by his Excellency Governor Hendricks, relating to the improvement of the navigation of the river Wabash, REPORT—That the examination of the papers referred and the consideration given to them, have afforded the fullest satisfaction on the subject of improving and facilitating the navigation of that river. The practicability of this object so much cherished by the people of this state, is no longer to be doubted, and it is as little to be believed that the means to accomplish it, are beyond the resources of those concerned. For the information presented to your committee, much credit is certainly due to the industry and discernment of the commissioner on the part of this state and his colleague on the part of the state of Illinois, who were appointed to investigate this important concern. It will be received thankfully by every one who is animated by a zeal to advance the great interests of the state, and whose mind is not biased by local prejudices or predilections. And it will be received with peculiar pleasure by those friends of inter-

nal improvement who have particularly fostered the measure, and whose feelings will triumph over the conjectures which may have given rise to serious apprehensions. In the progress to consummate this desirable end, at least, so far to improve the river as to make it navigable at ordinary stages of water, coextensive with the present improvement of the soil, no barrier presents itself which is not easily surmounted. No appeal need be made to the patriotism of the people for contributions no extraordinary measures need be resorted to either directly or indirectly imposing upon them a tax, for in the opinion of your committee, it is only necessary to appropriate a portion of the three per cent. fund, insignificant in amount when compared with the importance of the object, and as much if not more due to this than to any other work of internal improvement which could be undertaken. It is not expected nor desired at this time, that the Legislature should make any additional draft on that fund, but divert a part of the sum already called for, from the channel of expenditure originally intended, which will fully answer the object now contemplated. When the general cultivation of the soil bordering on the river shall extend to Tippecanoe or approach the St. Josephs, then extraordinary expenditures will be necessary, and will doubtless be resorted to, but by that time the physical strength and wealth of the country will have so much multiplied, that such burthens to them will be less onerous than present exigencies are to us, and will not be considered oppressively heavy. These extended improvements however might be expedited, and the state rapidly advanced to what it would otherwise require many years to attain to, if Congress at their present session, would manifest a disposition to direct the spirit of enterprize to the north-eastern and north-western extremities of the state, and cheer and support it with that degree of encouragement, which the mutual and equal interest of the national government and of this state requires. Your committee have recently seen a printed bill on this subject, which is now before Congress; and it is with much regret they are constrained to remark, that the measures embraced in it are far short of the expectation of the people. This bill purports to give to the state, the profitless use of small quantities of land, but not the right to dispose of it. It is more indicative of a sparing, contracted spirit wanting confidence, than a specimen of those expanded, liberal views which spring from the impulse of national feeling. These lands were given away by Virginia, when in a full flow of generous feeling, for the establishment of the Union on a permanent basis, and her object was to preclude local jealousies and increase the checks and balances of government, and not as it seems to be the opinion of some, to afford the means of arbitrary specu-

lation. There are yet among us, some of those who lived in this country at that time, and before it was donated, and they attest the early fidelity of it to the cause of freedom and the government of the United States, and from that time down to the present, no comment is necessary. But your committee might ask, what portion of the American people have been more ardent in patriotism, patient under privation, and brave in battle? What people in proportion to their number, have experienced greater sufferings and sacrifices? When the blessings of peace were with their fellow citizens elsewhere, they were struggling amidst the horrors of savage war, visited upon their humble habitations. They secured for the country the actual sovereignty of the soil. And in the last war, the blood of the north-western soldier flowed freely upon the altar, and no duty of the patriot was considered too great a sacrifice. Why then this reluctance to part with a small portion of this soil to this people, when it is only wanted to promote the interest of the national government as well as their own? The time, it is to be hoped, is not far distant, when this parsimony on the subject of public lands, will disappear, and the national Congress will be governed by views in relation to them, corresponding with our wishes and what we conceive to be an enlightend policy.

Your committee will now invite the attention of the House, to certain important particulars supported by the communication of the commissioners, and which are facts within the personal knowledge of some of the members of the committee. When the water is at its lowest stage, from the mouth of the Wabash to Tippecanoe, a distance of three hundred and fifty miles, there are no serious obstructions in the river requiring legislative notice, except at Coffee Island ripple, White River ripple, the Grand Rapids, Hanging-Rock ripple, Ramsay's ripple and Little-Rock ripple, and from the lowest to the highest of these obstructions does not exceed fifteen miles. They commence at Coffee Island ripple, about six miles below the mouth of White River, and terminate at Little Rock ripple, about nine miles above the mouth of that river. At Coffee Island ripple, is the least obstruction, which can be removed at the trifling expense of two or three hundred dollars, and at Ramsay's ripple is represented the most formidable barrier. The intermediate ripples between these two points, are not very dissimilar as to the magnitude of their obstruction. To avoid these difficulties in navigation, and secure a water carriage to the Ohio at all seasons of the year, a cannal might be cut, commencing at Little-Rock ripple on the Indiana side of the river, and running in a direct line to a point just above the mouth of White River, a distance of six miles and a half—or there might be a canal answering the same pur-

purpose, commencing at the same ripple on the Illinois side of the river, and terminating immediately below White River ripple a distance of nearly nine miles. The cost of the canal on the Indiana side of the river, is estimated at sixty thousand dollars—on the opposite side, at eighty thousand. Besides these canals, either of which would fully accomplish the object, there might be two small canals opened, conjointly producing the same effects, one beginning at the Little-Rock ripple, on the Indiana side, and running to Ramsay's ripple, a distance of three miles, —the other beginning at the mouth of Prairie creek, on the Illinois side, and running to White River ripple, the distance of two miles and three quarters. Although it is urged in favour of those plans of canaling, that among others, great advantages would arise to the states of Indiana and Illinois, by erecting water works on them, your committee after mature reflection, must signify their unwillingness to recommend either of them. Owing to the scarcity of labor in the country subject to hire, the process would be tardy, and the expense greater than what is absolutely necessary for the object, and more than the present prospect of our resources promises with certainty. Moreover, the commissioners state that they particularly examined the bed of the river at the various obstructions, at a time when the river was within from four to six inches of being at the lowest stage known to the inhabitants on its banks—and that they believe the plan of excavation is practicable so as to be productive of the desired usefulness. Sluices have also been mentioned as efficient contrivances, but the expense of making them, and the annually accruing expense occasioned by ice, drift, &c. are considerations which at once discard the idea. Your committee are of opinion, that of all the plans suggested, that of excavating a channel is by far preferable, and they adhere to this opinion with much confidence, it being supported by reasons which do not exist in the other cases. If this plan should be adopted, it could be promptly put into execution, the beneficial effects of our legislation would soon be felt by our fellow citizens; and what also strongly recommends it to favourable consideration, this mode of meliorating the navigation would be equally efficient as any of the others, and the expense would be diminished nearly one half. It is an objection to this plan, that after the channels have been opened, a few freshets would fill them up, and the obstructions be again as great as they ever had been. But this is a mere surmise unsupported by argument or experience, and may be classed among those visionary objections, which find their account in the prejudiced minds of those who are hostile to the enterprize, or criminally careless on the subject. It is repeated, that this plan if carried into operation, would fully pro-

duce the important results desired by the Legislature and people, and that in a short time boats of every description which navigate the western waters, would be seen floating upon the Wabash unmolested by those obstacles which now deter them from it. The question finally presents itself, from what source are we to derive the funds necessary to the completion of this work? Your committee recommend the expediency, and urge it with the most anxious feelings, to divert and apply the amount of the three per cent. fund, appropriated on certain state roads in the western part of the state, that may in justice be due to the counties bordering on the river. This measure may at first alarm those counties through which these roads run, and which it is presumed are deeply interested in having them completed according to the original intention of the Legislature. But when they reflect, that providence has marked the course of this noble stream through the most fertile portions of the state, that the improvement of its navigation would enable the farmer at all seasons to transport his surplus produce to market, and speedily to return with the reward of his honest industry, that it would attract population, greatly enhance the value of lands, magnify the political importance of the country—the consideration of these and other consequences producing incalculable advantages. will silence every murmur and convert hostility to friendship. Your committee believe that such would be the effects—they have every confidence in the discernment and patriotism of the people, and believe that although the designing and malevolent might for a time impose upon that honest native credulity which is peculiar to a country life, that a little dispassionate enquiry would soon remedy the evil.

A message from the Senate by Mr. Graham, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act to establish seats of justice in new counties, which originated in the House of Representatives, without amendment. And he then withdrew.

Mr. Child presented the petition of B. Parke and others, Jeremiah Rowland and others, and Eli Overman and others, citizens of Washington county, praying a law to pass authorizing the county commissioners to lay an additional tax on said county for the purpose of building a new court house. Which was read and referred to a select committee of Messrs. Child, Huston and Marshall.

Mr. Nelson presented the remonstrance of Walter Wheatly and others, citizens of Clark county, against the petition of George Potorff and others, praying a state road from Madison to Jeffersonville, by the way of New London and Bethlehem, which was read and ordered to lie on the table.

On motion of Mr. Hillis,

Resolved by the General Assembly of the state of Indiana, That the further extinguishment of Indian title to lands within this state, would greatly facilitate the intercourse of the whole western country, with the eastern and middle states, and would increase in a great degree, the population of the northern section of this state, & would tend to improve the navigation of our rivers in the interior, and further the grand object of a canal communication between the waters of the Ohio and the Lakes.

Resolved, That our Representatives in Congress be requested, and our Senators be instructed to use their best exertions to procure an appropriation for that purpose, and in all other respects to promote the object of this resolution, and that the Governor forward to the Speaker of the House of Representatives of the United States, a copy thereof. Read the first time, and ordered to a second reading on Monday.

Mr. Nelson, having obtained leave, presented a bill authorizing the arrest of boats or vessels for debt, read the first time—rule dispensed with, and read the second time and referred to a committee of the whole on Monday next.

The engrossed bill from the Senate, entitled "An act declaring Blue river a public highway, and for other purposes," was taken up, and referred to a committee of the whole on Monday next.

The House resolved itself into a committee of the whole, on the bill relating to county seminary funds;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Blake reported the same with several amend-

ments, in which he desired the concurrence of the House.

On motion,

The House concurred therein generally.

Whereupon,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

The engrossed bill from the Senate entitled "An act to regulate judicial circuits, and to fix the times of holding courts therein, was read the third time with its amendments and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The engrossed bill from the Senate, entitled "An act supplemental to an act, entitled "An act, to incorporate the town of Madison," was read the third time, and on motion of Mr. Arion, ordered to lie on the table.

A message from the Senate by Mr. Grass, a member: Announcing that the Senate concur in the amendments made by the House of Representatives, to the engrossed bill from the Senate, entitled "An act respecting public property in Spencer county. And he then withdrew.

The engrossed bill concerning the reserved township in Monroe county, was read the third time, and ordered to lie on the table.

Mr. Arion from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bill, entitled "An act for the relief of Elias Willets, late sheriff of Wayne county, and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

He also reported, that they did on this day present to his excellency the Governor, for his approval and

signature, "An act authorizing a review of the state road from Salem to Bono. and for other purposes."

"An act to provide for the election of electors of President and Vice President of the United States."

"An act for the benefit of the widow and three younger children of Henry Vanderburgh, late of Knox county deceased."

"An act supplemental to an act, entitled "An act incorporating the New-Albany School."

"An act authorizing the county commissioners of Switzerland county to hold a special session, for the purposes therein named." And

"An act for the relief of the securities of Samuel Powell, collector of taxes for the county of Jackson,"

Mr. Nelson from the joint committee for enrolled bills reported, that they have compared the enrolled with the engrossed bill, entitled "An act to establish and regulate ferries." And

"An act to enable the commissioners to change a part of the state road from Mauk's ferry to Indianapolis and for other purposes."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The House adjourned until Monday morning 9 o'clock.

MONDAY MORNING, JANUARY 12, 1824.

The House met pursuant to adjournment.

Mr. Nelson presented the remonstrance of Benjamin Hurst and others, citizens of Harrison county, against a change in the state road from New-Albany, by Corydon to Princeton; which was read, and ordered to lie on the table.

Mr. Edwards presented the petition of Job H. Hungate and others, citizens of Pike county, praying a part of said county to be attached to the county of Warrick; which was read and referred to a select committee of Messrs. Edwards, Schnee Johnson and Milbourn.

Mr. Milbourn presented the petition of John Decker and others, citizens of Gibson county, praying a part of said county to be attached to the county of Pike—which was read, and referred to the same committee to whom was referred the petition of Job H. Hungate and others.

A message from the Senate, by Mr. Thompson, a member: Announcing that the Senate concur in the amendments made by this House, to the amendments made by the Senate to the engrossed bill, entitled "An act to establish a state road from Madison to Greensburgh," which originated in this House. And that they concur in the amendments made by this House to the engrossed bill entitled an act to regulate judicial circuits, and fixing the times of holding courts, except the fourth and fifth amendments—in which they do not concur. And he then withdrew.

On motion,

Resolved, That this House do recede from their 5th amendment, and insist on their fourth amendment to said bill.

Ordered That the Senate be informed thereof.

The bill attaching a part of the county of Greene to the county of Sullivan, was taken up; and

On motion of Mr. Murdock,

Indefinitely postponed.

The joint resolution presented by Mr. Hillis on Saturday last, on the subject of extinguishing Indian titles to land in this state, was read the second time, and referred to a committee of the whole to-morrow.

The engrossed bill for opening and repairing public roads and highways, was taken up and passed. The

ayes and noes being called for by Messrs. Bullock and Murdock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blake, Child, Clark, Clendenin, Dixon, Edwards, Evans, Everts, Hill, Huston, Johnson, Jones, Kennedy, Lomax, Marshall, Murdock, Oliver, Palmer, Pennington, Riley, Robertson, Schnee, Wright, and Zenor—24.

Those who voted in the negative were,

Messrs. Arion, Armstrong, Blythe, Bowers, Bullock, Burnett, Cotton, Hillis, Hendricks, Jelly, Law, M'Call, Milbourn, Nelson, Paxton, Reed, Stevens, Tadlock, Williams and Maxwell, speaker—20.

Ordered That the same be entitled "An act and that the Senate be informed thereof, and their concurence requested.

The House now resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act declaring Blue river a public highway, and for other purposes:"

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Evans reported the same with several amendments, in which he desired the concurrence of the House.

On motion,

The House concurred therein generally.

Ordered, That the amendments be engrossed and read the third time to-morrow.

The engrossed bill from the Senate, entitled "An act supplemental to an act, entitled "An act to incorporate the town of Madison," was taken up, and passed.

Ordered, That the Senate be informed thereof.

The House resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled

"An act regulating the jurisdiction and duties of justices of the peace:

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Oliver reported progress, and asked leave to sit again, which leave was granted.

Whereupon.

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House assembled.

A message from the Senate by Mr. Graham, a member: Announcing that the Senate have receded from their objections to the 4th amendment made by this House to the engrossed bill, entitled "An act to regulate judicial circuits, and fixing the times of holding courts." And he then withdrew.

The House again resolved itself into a committee of the whole, on the engrossed bill from the Senate entitled "An act regulating the jurisdiction and duties of justices of the peace:"

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Oliver reported the same with several amendments, in which he desired the concurrence of the House.

Whereupon,

The House adjourned until to-morrow morning nine o'clock.

TUESDAY MORNING, JANUARY 13, 1824.

The House met pursuant to adjournment.

Mr. Palmer presented the petitions of sundry citizens of Sullivan and Greene counties, praying a part of the county of Greene to be attached to the county of

Sullivan, which was read, and leave given to withdraw the same.

Mr. M'Call from the select committee, to whom was referred the petition of C. G. Brown of Knox county, reported a bill for the relief of the said C. G. Brown, which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

Mr. Burnett from the select committee, to whom was referred the resolution of the 2nd inst. relative to a canal round the falls of the Ohio, made a report on that subject—And also reported a bill, providing for the opening a canal at the falls of the Ohio, which was read the first time, and ordered to a second reading on to-morrow.

Mr. Jelly from the select committee, to whom was referred the petition of James Murray and others, citizens of the counties of Dearborn and Switzerland, and belonging to the 3d and 44th regiments of Indiana militia, have had the same under consideration, and beg leave to report, that the prayer of the petitioners is unreasonable and ought not to be granted.

On motion,

The House concurred in said report.

Mr. Child from the select committee, to whom was referred the petitions of sundry citizens of Washington county, reported a bill authorizing a special tax to be levied in the county of Washington, for the purpose of erecting a court house; which was read the first time —rule dispensed with, read the second time, and ordered to lie on the table.

A message from the Senate by Mr. Chambers, a member Announcing that the Senate have passed an engrossed bill, entitled "An act for the benefit of the infant heirs of Jesse Roberts, deceased," which originated in this House, without amendment. And he then withdrew.

Mr. Pennington having obtained leave presented a

bill, authorizing a called session of the Harrison circuit court in this state, for the purposes therein named; which was read the first time—rule dispensed with, read the second time, and ordered to be engrossed for a third reading to-day.

Mr. Blake presented the claim of the commissioners appointed to locate the state road from Terre-Haute to Fort Wayne; which on motion, was referred to the committee of claims and accounts.

On motion,

The House concurred generally in the amendments made in committee of the whole on yesterday, to the bill regulating the duties and jurisdiction of justices of the peace, except the amendment to the 19th section of said bill, which reduces replevins before justices from nine to three months. And on the question being put, will the House concur in said amendment? Was carried in the affirmative. The ayes and noes being called for by Messrs. Armstrong and Bullock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blake, Burnett, Child, Clark, Dixon, Edwards, Evans, Everts, Huston, Irwin, Johnson, Jones, Kennedy, Law, Lomax, Marshall, M'Call, Milbourn, Murdock, Nelson, Oliver, Pennington, Riley, Robertson, Schnee, Tadlock, Williams, Wright & Zenor, 29.

And those who voted in the negative were,

Messrs. Armstrong, Blythe, Bowers, Brownlee, Bullock, Clendenin, Cotton, Hill, Hillis, Hendricks, Jelly, Reed, Stevens and Maxwell, speaker—14.

Mr. Tadlock moved to amend said bill by adding the following proviso to the 19th section, to wit:

Provided always, that on all judgments rendered on any contract entered into, after the first day of June 1824, there shall be no replevy whatever, but the offi-

cer in whose hands any such execution may be, shall be allowed thirty days to return said execution; which on the question being put, will the House adopt said amendment? Was decided in the negative; the ayes and noes being demanded by Messrs. Tadlock and Everts, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Evans, Everts, Huston, Irwin, Johnson, Jones, Kennedy, Law, Milbourn, Murdock, Nelson, Palmer, Paxton, Reed, Schnee, Tadlock, Williams and Wright—18.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blake, Blythe, Bowers, Brownlee, Bullock, Burnett, Child, Clark, Clendenin, Cotton, Dixon, Edwards, Hill, Hillis, Hendricks, Jelly, Lomax, Marshall, M'Call, Oliver, Pennington, Riley, Robertson, Stevens, Zenor and Maxwell, speaker—27.

Mr. Nelson then moved further to amend said bill, by striking out "twelve," in the 32d section and put "six" in its place; which was adopted, so that a jury before magistrates, will consist of but six persons.

Ordered, That the amendments to said bill be engrossed and read the third time to-morrow.

The House resolved itself into a committee of the whole, for improving the navigation of the river Wabash:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Armstrong reported progress, and asked leave to sit again; which leave was granted.

Whereupon,

The House adjourned until 2 o'clock P. M.

2 *o'clock, P. M.*

The House assembled.

The engrossed bill, authorizing the printing and distributing the laws, journals and joint resolutions, of the present General Assembly and for other purposes; was read the third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill from the Senate, entitled "An act for the relief of Sevier Lewis, collector of Shelby county;" was read the third time with its amendments, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The engrossed bill authorizing a called session of the circuit court of Harrison county—for the trial of Robert Morgan; was read the third time and passed.

Ordered, That it be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The House again resolved itself into a committee of the whole, on the bill for improving the navigation of the river Wabash:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Armstrong reported the same without amendment.

Mr. Evans then moved to amend the said bill, by adding the following proviso, at the end of the first section, to wit:—

Provided however, That no part of the three per cent. fund, already appropriated to the Evansville road, shall be applied to the purposes aforesaid.

Mr. Law then moved to amend the amendment, by adding after the word "road," as follows, "from Evansville to White river;" which was adopted. And

on the question to adopt the amendment, as amended, was carried in the affirmative.

Mr. Blake moved further to amend said bill by striking out "Putnam and Montgomery," in the first section; which carried in the affirmative.

Mr. Wright then moved still further to amend said bill, by adding the following as a second proviso to the first section, which was adopted; to wit:—

Provided however, That nothing in this act shall be so construed as to effect the distribution of the three per cent. fund, in any other counties than those particularly named in this act.

Ordered, That the same be engrossed and read the third time to-morrow.

A message from the Senate by Mr. Stapp, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act relative to fugitives from labour;" which originated in this House, with amendments, in which they desire the concurrence of this House. And he then withdrew.

Which amendments were severally read,—it was resolved that this House disagree thereto.

Ordered, That the Senate be informed thereof.

And also, that the Senate have passed an engrossed bill, entitled "An act for the relief of certain sheriffs therein named; which originated in this House, with amendments, in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred in said amendments generally.

Ordered, That the Senate be informed thereof.

Mr. Arion from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bills, entitled "An act to regulate judicial circuits and fixing the times of holding courts." "An act respecting certain public property in the county of Spencer." And "An act to establish seats of

justice in new counties." And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate by Mr. Raridon, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act supplemental to an act, entitled "An act to regulate judicial circuits and fixing the times of holding courts," passed this session, which was read the first time, and

On motion of Mr. Bullock,

Rejected.

Mr. Nelson from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bill, entitled "An act, supplemental to an act, to incorporate the town of Madison." And "An act establishing certain state roads therein named."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate by Mr. Ray, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act relative to crime and punishment, which originated in this House with amendments, in which they desire the concurrence of this House. And he then withdrew.

On motion, it was

Resolved, That this House do concur in the 1st, 7th, 8th, 9th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 21st, 23d, 24th and 25th, of the said amendments, and in the 20th, except so far as provides for striking out the words "obscene book, pamphlet or print," and that they disagree to the 2d, 3d, 4th, 5th, 6th, 10th, and 22d, of said amendments.

Ordered, That the Senate be informed thereof.

Whereupon,

The House adjourned until to-morrow morning nine o'clock.

WEDNESDAY MORNING, JANUARY 14, 1824.

The House met pursuant to adjournment.

Mr. Robertson presented the petition of Ephraim Dukes and others, citizens of Putnam county, praying a change in the state road from Terre-Haute to Indianapolis, which was read, and referred to a select committee of Messrs. Robertson, Blake and Paxton.

Mr. Dixon presented the petition of Thomas F. G. Adams and others, citizens of Owen county, praying certain relief therein named; which was read and referred to the judiciary committee.

Mr. Reed presented the petition of Catharine Cherry, formerly Catharine Anderson, praying to be divorced from her husband John Cherry, which was read and referred to a select committee of Messrs. Reed, Dixon and Edwards.

On motion,

David Martin has leave to withdraw his petition.

Mr. Pennington from the select committee, to whom was referred the bill for assessing and collecting the revenue, with sundry resolutions of this House on that subject, reported the same with amendments; which were read and referred to a committee of the whole tomorrow.

A message from the Senate by Mr. Gregory, a member: Announcing that the Senate concur in the amendments made by this House to the bill from the Senate, for the relief of sevier Lewis, collector of Shelby county. And then he withdrew.

A message from the Senate by Mr. Slaughter, a member: Announcing that the Senate have passed an engrossed, bill which originated in this House, entitled "An act authorizing a called session of the circuit court of Harrison county, for the trial of Robert Morgan," without amendment. And he then withdrew.

Mr. Murdock from the select committee, to whom was referred the memorial of the licensed practitioners

of medicine and surgery, in the second medical district of the State Medical Society of Indiana, reported a bill more effectually to regulate the practice of physic and surgery; which was read the first time—rule dispensed with read the second time, and referred to a committee of the whole House to-morrow.

On motion of Mr. Hillis,

The resolution presented to this House by Mr. Pennington on 13th December last, and rejected, on the subject of the establishment of the National Armory on Blue river, was reconsidered, and referred to a select committee of Messrs. Pennington, Stevens, Blake and Nelson.

On motion of Mr. Tadlock,

The House reconsidered the vote taken on the rejection of the engrossed bill from the Senate, entitled "An act supplemental to "An act, to regulate the judicial circuits, and fixing the times of holding courts," passed this session; which was read the second time—rule dispensed with, read the third time and passed.

Ordered That the Senate be informed thereof.

On motion of Mr. Johnson,

Resolved, That the committee on the judiciary be instructed to prepare and report a bill to this House, to provide for a prosecuting attorney in each judicial circuit in this state.

The House proceeded to consider the orders of the day.

The House resolved itself into a committee of the whole on the joint resolution respecting the extinguishing Indian title to lands in this state.

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Everts reported the same without amendment.

Ordered, That the same be considered as engrossed. The same was then read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The House resolved itself into a committee of the whole, on the bill authorizing the arrest of boats or vessels for debt:

And after some time spent therein;

The Speaker resumed the chair, and

Mr. M'Call reported the same without amendment.

Ordered, That the same be engrossed for a third reading on to-morrow.

The bill providing for the opening a canal at the falls of the Ohio, was read the second time, and with the report on that subject, referred to a committee of the whole on Monday next.

The House resolved itself into a committee of the whole, on the bill for the relief of C. G. Brown:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Clendenin reported the same without amendment.

Ordered, That the same be considered as engrossed. The same was then read the third time and passed.

Ordered, That the same be entitled 'An act,' and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill from the Senate, entitled "An act regulating the duties and jurisdiction of justices of the peace, was read the third time as amended, and passed. The ayes and noes being called for, by Messrs. Child and Blythe, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blake, Bowers, Brownlee, Burnett, Clark, Clendenin, Cotton, Dixon, Edwards, Evans, Everts, Hill, Hendricks, Irwin, Jelly, Johnson, Jones, Lomax, Murdock, Nelson, Oliver, Palmer, Pennington, Riley, Robertson, Schnee, Williams, Wright & Zenor—29.

And those who voted in the negative were

Messrs. Arion, Blythe, Bullock, Child, Huston, Kennedy, Law, Marshall, M'Call, Reed, Stevens, Tadlock and Maxwell, speaker—13.

Ordered, That the Senate be informed thereof and their concurrence requested.

The engrossed bill from the Senate, entitled "An act declaring Blue river a public highway, and for other purposes, was read the third time as amended and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The House resolved itself into a committee of the whole House, on the bill to authorize an alteration of the State road leading from New-Albany, by Corydon to Princeton—and the remonstrance of B. Hurst and others, on that subject:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Reed reported the same with an amendment, in which he desired the concurrence of this House.

On motion,

The House concurred therein. And

On motion of Mr. Murdock,

The same was indefinitely postponed.

Mr. Arion from the joint committee for enrolled bills reported, that they have compared the enrolled with the engrossed bills, entitled—

"An act, authorizing a called session of the circuit court of Harrison county, for the trial of Robert Morgan."

"An act, supplemental to "An act, to regulate the judicial circuits, and fixing the times of holding courts," passed at the present session. And

"An act for the relief of Sevier Lewis," and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The engrossed bill relative to county seminary funds, was read the third time: And on the question being put, shall said bill pass? was decided in the negative. The ayes and noes being called for, by Messrs. Bullock and Huston, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blake, Blythe, Bowers, Burnett, Clark, Cotton, Edwards, Everts, Hillis, Hendricks, Irwin, Jelly, Marshall, Murdock, Nelson, Oliver, Palmer, Reed, Robertson and Stevens—20.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Brownlee, Bullock, Clendenin, Dixon, Evans, Hill, Huston, Johnson, Jones, Kennedy, Law, Lomax, M'Call, Pennington, Riley, Schnee, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—23.

So said bill was rejected.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

Mr. Arion from the joint committee for enrolled bills reported, that they did on this day, present to his Excellency, the Governor, for his approval and signature:

"An act to regulate the judicial circuits, and fixing the times of holding courts."

"An act to establish seats of justice in new counties."

"An act respecting certain public property in the county of Spencer."

"An act to establish and regulate ferries."

"An act to enable the commissioners to change a part of the state road from Mauk's ferry to Indianapolis, and for other purposes."

"An act for the relief of Elias Willets, late sheriff of Wayne county."

"An act supplemental to an act, entitled "An act to incorporate the town of Madison." And

"An act establishing certain state roads therein named."

The Speaker laid before the House the report of James Ward, clerk of Scott county, from which it appears there is in the hands of the trustee for the coun-

ty seminary fund for said county, the sum of $32 61½, which was referred to the committee on Education.

The engrossed bill for improving the navigation of the river Wabash, was read the third time and passed.

Ordered, That the same be entitled 'An act,' and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill relative to the reserved township in Monroe county, was taken up, and on the question being put, shall said bill pass? Was decided in the negative—the ayes and noes being called for by two members stood as follows, to-wit:

Those who voted in the affirmative were,

Messrs. Brownlee, Child, Everts, Hill, Irwin. Paxton, Riley, Robertson, Wright and Maxwell, sp'r—10.

And those who voted in the negative were,

Messrs. Armstrong, Blythe, Bowers, Bullock, Clark, Clendenin, Cotton, Dixon, Edwards, Evans, Hillis, Hendricks, Huston, Jelly, Johnson, Jones, Kennedy, Law, Marshall, M'Call, Milbourn, Murdock, Nelson, Oliver, Palmer, Pennington, Reed, Schnee, Stevens, Tadlock, Williams and Zenor—32.

So the same was rejected.

The revised bill respecting public seminaries, and other purposes, was read the first and second times, and referred to the committee on education.

The engrossed bill for the formation of the counties of Delaware and Wabash, was read and referred to the committee on the boundaries of counties.

The engrossed bill legalizing the commissioners of the county of Vigo, read the first time—rule dispensed with, read the second and third times, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The list of original acts recommended to be re-printed, was read, and ordered to lie on the table.

Whereupon,

The House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, JANUARY 15, 1824.

The House met pursuant to adjournment.

Mr. Arion from the joint committee for enrolled bills reported, that they have compared the enrolled with the engrossed bills, entitled "An act for the benefit of the heirs of Jesse Roberts, deceased."

"An act establishing the permanent seat of Government of the state of Indiana," and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate by Mr. Gregory, a member: Announcing that the Senate concur in the amendments made by the House of Representatives to the engrossed bill, entitled "An act declaring Blue River a public highway." And then withdrew.

Mr. Irwin having obtained leave, presented a bill for vacating a part of the Bethlehem road and for other purposes; which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to morrow.

Mr. Stevens having obtained leave, presented a bill authorizing the printing sundry private acts by their titles, and re-printing sundry statutes, and for other purposes; which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to morrow.

A message from his excellency the Governor, by Mr. Payne, his private secretary: Announcing that his excellency the Governor did, on yesterday, approve and sign—

"An act supplemental to an act, entitled "An act incorporating the New-Albany School."

"An act authorizing the county commissioners of Switzerland county, to hold a special session for the purposes therein named."

"An act for the benefit of the widow and three younger children of the late Henry Vanderburgh, deceased."

"An act authorizing a review of the state road leading from Salem to Bono, and for other purposes."

"An act for the relief of the securities of Samuel Powell, collector of taxes for the county of Jackson."

"An act to establish and regulate ferries."

"An act establishing certain state roads therein named."

"An act to establish seats of justice in new counties."

"An act authorizing a called session of the circuit court of Harrison county, for the trial of Robert Morgan."

All of which originated in the House of Representatives. And he then withdrew.

Mr. Arion from the joint committee for enrolled bills reported, that they did, on yesterday, present to his excellency the Governor, for his approval and signature—

"An act supplemental to an act, entitled "An act to regulate judicial circuits, and fixing the times of holding courts therein," passed at the present session.

"An act for the relief of Sevier Lewis." And

"An act authorizing a called session of the circuit court of Harrison county, for the trial of Robert Morgan."

The House resolved itself into a committee of the whole, on the bill more effectually to regulate the practice of physic and surgery.

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Zenor reported the same with one amendment, by striking out the 11th section of said bill, which makes it an indictable offence to practice physic and surgery

without license, in which he asked the concurrence of the House.

And on the question being put, will the House concur in the said amendment? Was carried in the affirmative; the ayes and noes being called for by Messrs. Murdock and Everts, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Bowers, Brownlee, Clark, Clendenin, Dixon, Evans, Hill, Huston, Irwin, Johnson, Jones, Kennedy, Lomax, Milbourn, Nelson, Palmer, Paxton, Riley, Robertson, Schnee, Stevens, Tadlock, Williams, Wright and Zenor—25.

And those who voted in the negative were.

Messrs. Arion, Blake, Blythe Bullock, Burnett, Child, Cotton, Edwards, Everts, Hillis, Hendricks, Jelly, Law, Marshall, M'Call, Murdock, Oliver, Pennington, Reed and Maxwell, speaker—20.

On motion of Mr. Arion,

The said bill was re-committed to a select committee of Messrs. Everts, Child, Oliver, Stevens and Blake.

A message from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate have receded from all the amendments made by them to the act relative to crime and punishment, except the amendment to the 28th section, marked No. 10, on which they insist. That they also insist on their amendments made to the engrossed bill from the House of Representatives, entitled "An act relative to fugitives from labour."

That they have concurred in the amendments made in the House of Representatives, to the act regulating the jurisdiction and duties of justices of the peace, marked Nos. 1, 2, 3, 4, 6, 7, 9, 12, 13, and have refused to concur in amendments marked No. 5, 8, 10, 11, and 14.

That they have also passed an engrossed bill from the House of Representatives, entitled "An act regulating divorces, with amendments, in which the concurrence of the House is requested.

That the Senate have received official information that his Excellency the Governor, did, on the 14th instant, approve and sign—

"An act supplemental to an act, entitled "An act to incorporate the town of Madison."

"An act for the relief of Elias Willets, late sheriff of Wayne county."

"An act to enable the commissioners to change a part of the state road from Mauk's ferry to Indianapolis, and for other purposes."

"An act to regulate the judicial circuits, and fixing the times of holding courts."

"An act respecting certain public property in the county of Spencer."

"An act supplemental to an act, entitled "An act to regulate judicial circuits, and fixing the times of holding courts," passed at the present session.

"An act to provide for the election of electors of President and Vice President of the United States."

"An act for the relief of Sevier Lewis."

All of which originated in the Senate. And then withdrew.

On motion, it was

Resolved, That this House recede from the disagreement to the amendment marked No. 10, in section 28, made by the Senate to the bill, entitled "An act relative to crime and punishment."

Mr. Child moved that this House do insist on their disagreement to the amendments made by the Senate to the engrossed bill, entitled "An act relative to fugitives from labour."

The ayes and noes being called for by two members, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Brownlee, Bullock, Child, Clark, Hill, Hendricks, Huston, Jelly, Jones, Kennedy, Lomax, M'Call, Murdock, Nelson, Palmer, Pennington, Robertson, Tadlock, Wright and Zenor—21.

And those who voted in the negative were,

Messrs. Arion, Blake, Blythe, Bowers, Burnett, Clendenin, Cotton, Dixon, Edwards, Evans, Everts, Hillis, Irwin, Johnson, Law, Marshall, Milbourn, Oliver, Paxton, Reed, Riley, Schnee, Stevens, Williams and Maxwell, speaker—25.

So the said disagreement was receded from.

On motion,

The House receded from amendments marked No. 5, and insist on amendments marked No. 8, 10, 11, and 14, made by this House to the engrossed bill from the Senate, entitled "An act regulating the duties and jurisdiction of justices of the peace."

On motion,

This House do not concur in the first amendment made by the Senate to the engrossed bill, entitled "An act regulating divorces," but concur in the second and third of said amendments.

Ordered, That the Senate be informed thereof.

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House assembled.

On motion of Mr. Blake,

Ordered, That the standing committee of claims and accounts, be discharged from the further consideration of the accounts of the commissioners heretofore appointed to locate the state road from Terre-Haute to Fort Wayne, and that the same be referred to a select committee to report by bill or otherwise.

Whereupon,

Messrs. Blake and Stevens were appointed that committee.

A message from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act concerning lands granted for the use of salt springs, and to encourage the manufacture of salt, with amendments, in which they desire the concurrence of this House. And then withdrew.

On motion,

The House concurred in said amendments.

Ordered That the Senate be informed thereof.

Mr. Blake from the select committee to whom was referred the claims of the commissioners appointed to locate a state road from Terre-Haute to Fort Wayne, reported a bill allowing them compensation; which was read the first time—rule dispensed with, read the second time, and ordered to be engrossed for a third reading to-morrow.

A message from the Senate, by Mr. Farnham, their assistant Secretary: Announcing that the Senate have passed an engrossed bill, entitled "An act, concerning grist mills and millers; which originated in this House, with amendments, in which they desire the concurrence of this House. And he then withdrew. And

On motion,

The House concurred in said amendments—and amended amendment marked No. 6, by adding in line three, after the word "mills," "load and unload."

Ordered, That the Senate be informed thereof, and their concurrence requested.

A message from the Senate by Mr. Jenckes, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act, authorizing the arresting and securing of fugitives from justice;" which origiuated in this House, without amendment. And he then withdrew.

Mr. Pennington from the select committee to whom was referred a joint resolution, on the subject of estab-

lishing the Western Armory on Blue river, reported the same with amendments; which was read first, second and third times, and passsd—rule having been dispensed with.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Mr. Hillis from the select committee to whom was referred the petition of James Vawter, of Jefferson county, reported a bill for his relief; which was read the first, second and third times—rule having been dispensed with, and passed.

Ordered, That the same be entitled "An act"—and that the Senate be informed thereof, and their concurrence requested.

Whereupon,

The House adjourned until to-morrow morning nine o'clock.

FRIDAY MORNING, JANUARY 16, 1824.

The House met pursuant to adjournment.

Mr. Edwards presented the petition of Thomas Everton and others, citizens of Warrick county, praying to be attached to the county of Spencer. And the remonstrance of William Patterson and others, and Joshua West and others, on that subject; which was read and referred to the same committee, to whom was referred the petition of sundry citizens of Pike county.

On motion of Mr. Bullock,

The House reconsidered the vote taken on yesterday, on receding from amendment marked No. 5, made by this House to the engrossed bill from the Senate, entitled "An act regulating the duties and jurisdiction of justices of the Peace.

And on motion, it was

Resolved, That this House do insist on said amendment.

Ordered, That the Senate be informed thereof.

Mr. Stevens from the judiciary committee, to whom was referred the revised bill regulating the practice in chancery cases reported the same with amendments, in which the House concurred. Which was read the first time—rule dispensed with, read the second time and ordered to be read the third time to morrow.

Mr. Evans from the standing committee of Ways and Means, made a report on the subject of the finances of the state, which was read, and

On motion,

Unanimously concurred in.

Mr. Stevens submitted the following resolution for adoption, to wit:

Resolved, That the public printer be directed forthwith to print 800 copies of the above report of the committee of Ways and Means, to be delivered to the members of this General Assembly, to be by them distributed for the information of the citizens of this state, and that said report shall not appear on the journals, and that 32 of said copies, be deposited in the office of the secretary of state.

On the question being put, shall said resolution be adopted? Was carried in the affirmative.

The ayes and noes being demanded by Messrs. Murdock and Arion, were as follows to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Blake, Blythe, Bowers, Brownlee, Bullock, Child, Clark, Clendenin, Cotton, Dixon, Edwards, Evans, Everts, Hill, Hillis, Hendricks, Huston, Irwin, Jelly, Johnson, Jones, Kennedy, Law, Lomax, Marshall, M'Call, Milbourn, Murdock, Nelson, Oliver, Palmer, Paxton, Pennington, Reed, Riley, Robertson, Schnee, Stevens, Tadlock, Williams, Wright and Maxwell, speaker—43.

Those who voted in the negative were,

Messrs. Arion, Burnett and Zenor—3.

Mr. Wright from the select committee to whom was referred a petition on that subject, reported a bill to alter the northern boundary line of Madison county, and for other purposes; which was read the first time—rule dispensed with, read the second time and ordered to lie on the table until Monday next.

Mr. Reed from the select committee to whom was referred a petition on that subject, reported a bill divorcing Catharine Cherry, from her husband John Cherry; which was read the first time, and

On motion of Mr. Armstrong, rejected.

Leave was given to withdraw the petition.

Mr. Blake presented a joint resolution, providing for enclosing the grave of John N. Dunbar, esq'r; a member of the House of Representatives, who died during the session of 1821; which was read the first time.

Mr. Wright moved to reject the same; which was decided in the negative. The ayes and noes being demanded by Messrs. Blake and Murdock, were as follows, to wit:—

Those who voted in the affirmative were,

Messrs. Blythe, Child, Everts, Hill, Hendricks, Huston. Irwin, Jones, Kennedy, Lomax, Palmer, Riley, Stevens, Tadlock, Williams, Wright and Zenor—18.

And those who voted in the negative were,

Messrs. Armstrong, Blake, Bowers, Clark, Clendenin, Cotton, Dixon, Hillis, Jelly, Johnson, Law, Marshall, Milbourn, Murdock, Nelson, Paxton, Pennington, Reed, Robertson, Schnee and Maxwell, speaker—21.

The rule was then dispensed with, read the second and third times and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Whereupon,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

The engrossed bill authorizing the arrest of boats and vessels for debt; was read the third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill allowing compensation to the commissioners heretofore appointed to locate a state road from Terre Haute to Fort Wayne; was read the third time.

Mr. Palmer moved to re-commit said bill, debate arising.

The previous question was called for by Mr. Armstrong, and being demanded by three members, the said previous question was put in the form prescribed by the rules of the House, to wit:

Shall the main question be now put? And passed in the affirmative.

The said main question was then put, to wit:

Shall said bill pass? Which was decided in the negative.

So said bill was rejected.

Leave was given to withdraw the papers.

Mr. Blake presented the following resolution, which was not adopted, to wit:

Resolved, That the select committee to whom was referred the petition of Frederick Rapp of Harmonie, on that subject, be directed to inqure into the expediency of reviving the corporate powers of the Bank of Vincennes, whose franchise is supposed to have been extinguished by force of the judgment on the quo warranto information, prosecuted and determined against

said corporation, with leave to report by bill or otherwise.

The House now resolved itself into a committee of the whole on the bill authorizing the printing sundry private acts by their titles, and re-printing sundry statutes, and fo rother purposes.

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Bullock reported the same with amendments, in which he desired the concurrence of the House.

On motion,

The House concurred therein.

Ordered, That the same lie on the table.

The House adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, JANUARY 17, 1824.

The House met pursuant to adjournment.

Mr. Pennington presented the petition of Samuel Little, praying a law to pass, giving him further time to apply to the circuit court for damages for the location of a state road through his land, which was read and referred to a select committee of Messrs. Pennington, Zenor and Nelson.

Mr. Blake from the judiciary committee, to whom was referred the presentment of the grand jury of Floyd county reported: that they have had the same under consideration, and deem it unnecessary to make any further provisions by law for the case mentioned therein, which was read and concurred in.

Mr. Nelson from the standing committee on education, to whom was referred the revised bill on the subject of county seminaries reported the same with amendments; which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole on Monday next.

Mr. Bullock from the committee of free conference, appointed on the part of this House to act with a similar committee on the part of the Senate, on the subject of difference between the two Houses to the 3d and 4th amendments to the engrossed bill from the Senate, entitled "An act for the appointment of constables and defining their duties," reported: that they had agreed that this House recede from the 3d amendment, and that the Senate do recede from their disagreement to the 4th amendment made by this House to said bill, which was read and concurred in.

Mr. Stevens from the standing committee on roads, to whom was referred the petition of Thomas Townsend of Dearborn county, reported a bill for his relief; which was read the first time—rule dispensed with, read the second time, and ordered to be engrossed for a third time on Monday next.

Mr. Blake from the judiciary committee to whom was referred the revised bill, regulating the practice in suits at law, reported the same with amendments; which was read the first time—rule dispensed with, read the second time, ordered to be considered as engrossed, and read the third time on Monday next.

Mr. Everts from the standing committee on education, reported a bill incorporating congressional townships and providing for public schools therein; which was read the first and second times, and referred to a committee of the whole on Monday next.

Mr Pennington having obtained leave presented a bill for the benefit of Henry Kimberlin; which was read the first time—rule dispensed with, read the second time and ordered to lie on the table until Tuesday next.

Mr. Evans having obtained leave, presented a bill legalizing the board of trustees of the town of Evansville, and for other purposes; which was read the first and second times, and referred to a committee of the whole on Monday next.

Mr. Bowers having obtained leave, presented a bill for the relief of John Spencer sheriff of Dearborn county, which was read the first and second times and ordered to be considered as engrossed and read the third time on Monday next.

Mr. Nelson having obtained leave, presented a bill relative to foreign attachments, which was read the first time—rule dispensed with, read the second time and referred to a committee of the whole on Monday next.

And also, a bill concerning debtors and their securities, which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole on Tuesday next.

The engrossed bill from the Senate, entitled "An act for the relief of the heirs of civil officers deceased," was taken up, read the third time and passed.

Ordered, That the Senate be informed thereof.

The bill authorizing a special tax to be levied in the county of Washington, for the purpose of erecting a court house, was taken up, and

On motion of Mr. Child,

Indefinitely postponed.

The engrossed bill from the Senate, for the relief of certain lessees of reserved lands, was taken up, and referred to a committee of the whole on Monday next.

A message from the Senate by Mr. Stapp, a member: Announcing that the Senate has concurred in the report of the committee of free conference on the subject matter of differences between the two Houses, relative to the 3d and 4th amendments made by the House of Representatives to the bill, for appointing constables and defining their duties. And then withdrew.

The House resolved itself into a committee of the whole on the bill for assessing and collecting the revenue:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Blythe reported progress, and asked leave to sit again, which leave was granted.

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

Mr. Everts from the select committee to whom was re-committed the bill more effectually to regulate the practice of physic and surgery, reported the same with an amendment, in which the House concurred.

Ordered, That the same be engrossed for a third reading on Monday next.

The House again resolved itself into a committee of the whole on the bill for assessing and collecting the revenue:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Blythe reported the same with amendments.

Whereupon,

The House adjourned until Monday morning 9 o'clock.

MONDAY MORNING, JANUARY 19, 1824.

The House met pursuant to adjournment.

Mr. Arion from the joint committee for enrolled bills reported: that they have compared the enrolled with the engrossed bill, entitled "An act declaring Blue river a public highway, and for other purposes."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Nelson having obtained leave, presented a bill concerning corporations, which was read the first time, —rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

A message from the Senate by Mr. Farnham, their assistant secretary: Announcing that the Senate have receded from the 2d amendment made by them, to the first section of an act, regulating divorces. That they have concurred in the amendment made by the House of Representatives, to the 6th amendment made by the Senate to the act regulating grist mills and millers.

That they have receded from their disagreement to the 5th amendment, made to the act regulating the jurisdiction and duties of justices of the peace, and insist on their disagreement to amendments marked and numbered 8, 10, 11, and 14. And then he withdrew.

On motion,

The House receded from amendments marked No. 8, and 10, and insist on amendments marked No. 11, and 14.

Ordered, That the Senate be informed thereof.

On motion of Mr. Bullock,

Resolved, That a committee of free conference be appointed, to act with a similar committee to be appointed on the part of the Senate, relative to the difference between the two Houses on the subject of the amendments made by this House, to the bill from the Senate, regulating the jurisdiction and duties of justices of the peace.

Whereupon,

Messrs. Nelson and Child, were appointed that committee.

Ordered, That the Senate be informed thereof, and a similar committee on their part requested.

A message from the Senate by Mr. Stapp, a member: Announcing that the Senate have passed an engrossed bill from this House, entitled an act for the relief of James Vawter, with amendments. And then withdrew.

On motion,

The House concurred in the first amendment, and in the second with an amendment.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Mr. Blake having obtained leave, presented a bill, supplemental to an act, entitled "An act to regulate judicial circuits, and fixing the times of holding courts," —approved, January 14, 1824; which was read the first time—rule dispensed with, read the second and third times and passsed.

Ordered, That the same be entitled 'An act,' and that the Senate be informed thereof, and their concurrence requested.

On motion of Mr. Law,

Resolved, That the auditor of public accounts be requested to lay before this House, such information as he may possess, relative to delinquent collectors.

1st. The names of such delinquents and their securities.

2d. Whether suit has been commenced against them.

3d. Whether judgment has been obtained, and if not, the reason.

4th. The amount received on judgments against said collectors and their securities.

5th. The probability of collecting any balances due on judgments against said collectors and their securities.

6th. The names of the attorneys in whose hands accounts against such delinquent collectors have been placed for collection. On motion,

The House concurred in the amendments made to the bill for assessing and collecting the revenue, in committee of the whole on Saturday last, except the following proviso offered by Mr. Evans, to section 33, to wit:

Provided however, That the additional allowance to the listers hereby authorized to be made, shall in no case exceed the amount of extra tax collected from persons failing to render a list of their taxable property, agreeably to the foregoing provisions of this act. *Provided also*, that the board of commissioners may for good

cause shewn, exonerate any delinquent from the payment of the extra tax aforesaid.

In which the House did not concur.

On motion,

The said bill for assessing and collecting the revenue, was recommitted to a committee of the whole today.

The House resolved itself into a committee of the whole on said bill:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Blythe reported the same with amendments, in which he desired the concurrence of the House.

On motion,

The House concurred therein generally.

Mr. Arion moved the adoption of the following resolution, which was not adopted, to wit:

Resolved, That the bill under consideration be recommitted to a select committee, with instructions so to amend the same, that the county commissioners in any county in this state may, if they deem it expedient, appoint one or more persons to take the list of taxable property in their county, instead of a lister in each township.

Mr. Wright moved further to amend said bill—debate arising:

Mr. Reed called for the previous question, which being demanded by three members, the said previous question then put in the form prescribed by the rules of the House, to wit:

Shall the main quuestion be now put, and passed in the affirmative? The main question was then stated from the Chair, shall said bill be engrossed and read the third time to-morrow, and carried in the affirmative?

A message from the Senate, by Mr. Stapp, a member: Announcing that the Senate have concurred in the amendment made by this House, to the second

amendment proposed by the Senate, to the engrossed bill from this House, entitled "An act for the relief of James Vawter."

That they recede from their disagreement to the 11th amendment made by this House, to the bill regulating the duties and jurisdiction of justices of the peace. And that they have adopted the following resolution, to wit:—

Resolved, That a committee of free conference be appointed on the part of the Senate, to act with a similar committee on the part of the House of Representatives, to take into consideration the subject matter of difference between the two Houses, relative to the 14th amendment made by the House of Representatives, to the engrossed bill, entitled "An act regulating the jurisdiction and duties of justices of the peace.

Ordered That Messrs. Stapp and Thompson be the committee on the part of the Senate. And he then withdrew.

Mr. Arion from the joint committee for enrolled bills, reported that they have compared the enrolled with the engrossed bill, entitled "An act to regulate the militia of the state of Indiana." And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

A message from the Senate, by Mr. Stapp, a member: Announcing that the Senate have passed an engrossed bill from the House of Representatives, to license and regulate taverns, with an amendment; in which he desired the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

Ordered That the Senate be informed thereof.

A message from the Senate, by Mr. Ray, a member:

Mr. Speaker,

Messrs. Ray, Thompson and Stapp, a committee appointed by the Senate, to examine the revised bills before the Senate and not acted upon, and required to present the same to the House of Representatives, for revision and amendment; in obedience to such directions, have selected the following bills, and have requested me to lay them before the House of Representatives for the purposes aforesaid, to wit:—

"An act for the relief of the poor."

"An act concerning the secretary of state."

"An act establishing the office and defining the duties of notary public."

"An act providing for the incorporation of towns, in the state of Indiana."

"An act to regulate the practice of physic and surgery."

"An act for the appointment of county surveyors and their duties"

"An act requiring certain public officers to give security."

'An act concerning clerks."

"An act regulating the inspection of flour, beef and pork."

"An act to regulate marriages."

"An act regulating the firing of woods, prairies and other lands."

"An act regulating the admission and practice of attorneys and counsellors at law."

"An act regulating the mode of summoning and empannelling grand and pettit jurors." And he then withdrew.

Mr. Tadlock presented the petition of Gabriel Good and others, of Perry county, praying to be attached to Crawford county, which was read and referred to a

select committee of Messrs. Tadlock, Johnson and Schnee.

The House proceeded to consider the orders of the day.

The engrossed bills regulating the practice in chancery; regulating the practice in suits at law, and for the relief of Thomas Townsend, were severally read the third time and passed.

Ordered, That the same be entitled "Acts," and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill for the relief of John Spencer, sheriff of Dearborn county, was read the third time, and ordered to lie on the table.

The House resolved itself into a committee of the whole, on the bill from the Senate, for the relief of certain lessees of reserved lands:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Pennington reported the same without amendment.

The same was read the third time and passed.

Ordered, That the Senate be informed thereof.

The House resolved itself into a committee of the whole, on the bill for vacating a part of the Bethlehem road, and for other purposes:

And after some time spent therein;

The Speaker resumed the chair, and

Mr. Riley reported the same without amendment.

Ordered, To be considered as engrossed, read the third time, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The House resolved itself into a committee of the whole, on the bill relative to county seminaries:

After some time spent therein.

The Speaker resumed the chair, and

Mr. Evans reported the same with amendments, and asked the concurrence of the House therein. And

On motion,

The House concurred therein.

Ordered, That the same be engrossed and read the third time to-morrow.

The House resolved itself into a committee of the whole, on the bill incorporating congressional townships, and providing for public schools therein:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Law reported the same with amendments, in which he asked the concurrence of the House. And

On motion,

The House concurred therein.

Mr. Pennington moved to amend said bill, by adding at the end of section 2, as follows,—"nor shall any lease be made for a longer term than two years," which was adopted.

The ayes and noes being demanded by Messrs. Blake and Arion, were as follows, to-wit:

Those who voted for its adoption were,

Messrs. Arion, Blake, Bowers, Burnett, Clark, Clendenin, Cotton, Dixon, Edwards, Evans, Hillis, Hendricks, Jelly, Johnson, Kennedy, Law, M'Call, Palmer, Pennington, Reed, Robertson, Schnee, Williams and Zenor—24.

Those who voted in the affirmative were,

Messrs. Armstrong, Blythe, Brownlee, Bullock, Child, Everts, Hill, Huston, Irwin, Jones, Lomax, Marshall, Milbourn, Nelson, Oliver, Paxton, Riley, Stevens, Tadlock, Wright and Maxwell, speaker—21.

Ordered, That the same be engrossed and read a third time to-morrow.

A message from the Senate by Mr. Raridon, a member: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act, providing for the settlement of decedents' estates and for other

purposes," with amendments, in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred in said amendments.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Milroy, a member: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act declaring certain streams therein named public highways," with amendments, in which he desired the concurrence of this Houes. And then withdrew.

On motion,

The House concurred in the first amendment with an amendment, by striking out the "lower mills of John Work, senr." and inserting "Pierces mill," and do not concur in the second amendment.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Whereupon.

The House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, JANUARY 20, 1824.

The House met pursuant to adjournment.

Mr. Pennington presented the petition of Thomas Highfill, praying certain relief therein named; which was read, and referred to the same committee to whom was referred the petition of Samuel Little.

Mr. Stevens from the select committee, to whom was referred sundry documents relative to the state prison, reported a bill for the better management of the state prison, and for other purposes; which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

Mr. Johnson from the select committee, to whom was referred the petition of sundry citizens of Pike and Gibson counties, reported a bill to attach a part of Gibson county to the county of Pike, and for other purposes; which was read the first time—rule dispensed with, read the second time, and ordered to be engrossed and read the third time to-morrow.

Mr. Nelson from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bill, entitled "An act relative to crime and punishment."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

And that they did on yesterday present to his excellency the Governor, for his approval and signature—

"An act for the benefit of the infant heirs of the late Jesse Roberts, deceased." And

"An act establishing the permanent seat of government of the state of Indiana."

Mr. Robertson from the select committee, to whom was referred the petition of sundry citizens of the county of Putnam, praying for the state road from Indianapolis to Terre-Haute, to be changed so as to run through Greencastle, the seat of justice of said county reported: That they have had the same under consideration, and inasmuch as the said state road runs direct between two important points, and the citizens of Indianapolis and Terre-Haute, and the inhabitants in their vincinity, must feel a deep interest in relation to it, it is inexpedient to grant the change desired, until it is ascertained what are the wishes of those concerned generally. They therefore recommend to the House the adoption of the following resolution:

Resolved, That the prayer of the petitioners at this time, ought not be granted.

Which was read, and concurred in by the House.

Mr. Stevens from the select committee, to whom was

referred a petition on that subject, reported a bill authorizing the county commissioners of Switzerland county, to lay a special tax therein named; which was read the first time—rule dispensed with, read the second time, considered as engrossed, read the third time and passed.

Ordered, That the same be entitled "An act"—and that the Senate be informed thereof, and their concurrence requested.

Mr. Nelson having obtained leave, introduced a bill to perpetuate testimony; which was read the first time—rule dispensed with, read the second time, and ordered to be engrossed and read the third time to-morrow.

Ordered, That 100 copies of the bill organizing judicial circuits, and fixing the times of holding courts therein, and the supplements thereto, be printed for the use of the members of this House.

The engrossed bill authorizing Robert Culbertson and others, to erect a mill dam across a part of White river, was taken up, read a third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate by Mr. Craig, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act authorizing the county commissioners of Switzerland county, to lay a special tax therein named," which originated in this House, without amendment. And then withdrew.

A message from the Senate by Mr. Graham, a member: Announcing that the Senate have passed an engrossed bill, from this House, entitled "An act subjecting real and personal estate to execution, with several amendments, in which he asked the concurrence of this House. And then withdrew.

On motion,

The House concurred in the amendments marked

and numbered 4, 5, and 8, and refuse to concur in the amendments marked and numbered 1, 2, 3, 6, 7.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Harrison, a member: Announcing that the Senate have passed an engrossed bill, from this House, entitled "An act organizing circuit courts," with amendments, in which he desired the concurrence of this House. And then withdrew.

On motion, it was

Resolved, That this House do not concur in said amendments, which provides for the appointment of prosecuting attorneys in each judicial district, by the circuit judge, with a salary of $300, to be paid out of the state treasury.

The ayes and noes being demanded by Messrs. Murdock and Nelson, were as follows, to wit:

Those who voted for concurring in said amendment were,

Messrs. Brownlee, Burnett, Clark, Clendenin, Edwards, Evans, Everts, Hill, Irwin, Johnson, Milbourn, Palmer, Paxton, Pennington, Riley, Schnee, Tadlock, Williams and Wright—19.

And those who voted against concurring therein were,

Messrs. Arion, Armstrong, Blake, Blythe, Bowers, Bullock, Child, Cotton, Dixon, Hillis, Hendricks, Huston, Jelly, Jones, Kennedy, Law, Lomax, Marshall, M'Call, Murdock, Nelson, Oliver, Reed, Robertson, Stevens, Zenor and Maxwell, speaker—27.

A message from the Senate by Mr. Thompson, a member: Announcing that the Senate have passed an engrossed bill, from this House, entitled "An act regulating the fees of the several officers and persons therein named," with amendments, in which he desired the concurrence of this House. And then withdrew.

On motion,

The House concurred in the amendments marked and numbered 1, and 2, and refuse to concur in the amendment marked and numbered 3, which provides for paying grand and petit jurors fifty cents per day, out of the county treasury, for their attendance at court. The ayes and noes being called for by two members, were as follows, to wit:

Those who voted for concurring in said amendment were,

Messrs. Blythe, Burnett, Clark, Jelly, Johnson, Kennedy, Marshall, Palmer, Pennington & Zenor—10.

And those who voted against concurring in said amendment were,

Messrs. Armstrong, Blake, Bowers, Brownlee, Bullock, Child, Clendenin, Cotton, Dixon, Edwards, Evans, Everts, Hill, Hillis, Hendricks, Huston, Irwin, Jones, Law, Lomax. M'Call, Milbourn, Murdock, Nelson, Paxton, Reed, Riley, Robertson, Schnee, Stevens, Tadlock, Williams, Wright and Maxwell, speaker—34

And on motion,

The House refused to concur in the amendment marked and numbered 4, which authorizes the county commissioners in each county, to allow clerks and sheriffs $50 per annum, for attending said commissioners; the ayes and noes being called for by Messrs. Tadlock and Everts, were as follows, to wit:

Those who voted for concurring therein were,

Messrs. Arion, Blythe, Bowers, Child, Clendenin, Cotton, Jelly, Johnson, Law, Murdock and Riley—11.

And those who voted against concurring in said amendment were,

Messrs. Armstrong, Blake, Brownlee, Bullock,

Clark, Dixon, Edwards, Everts, Evans, Hill, Hillis, Hendricks, Huston, Irwin, Jones, Kennedy, Lomax, Marshall, M'Call, Milbourn, Nelson, Palmer, Paxton, Pennington, Reed, Robertson, Schnee, Stevens, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—33.

Mr. Arion from the joint committee for enrolled bills reported: that they did on this day, present to his excellency the Governor, for his approval and signature—

"An act relative to crime and punishment."

"An act supplemental to an act, entitled "An act to regulate judicial circuits, and fixing the times of holding courts,"—approved, January 14, 1824.

"An act for the relief of James Vawter, late sheriff of Jefferson county." And

"An act to license and regulate taverns."

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

A message from the Senate by Mr. Thompson, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act legalizing the board of county commissioners of Vigo county," and an engrossed joint resolution, to provide for enclosing the grave of John N. Dunbar, Esq. late a member of the General Assembly of this state, without amendment. And an engrossed bill, entitled "An act authorizing the arrest of boats and other vessels for debt," with amendments, in which he desired the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

Ordered That the Senate be informed thereof.

A message from the Senate by Mr. Montgomery a member: Announcing that the Senate have passed an engrossed joint resolution, on the subject of domestic

manufactures, which originated in this House, without amendment. And then withdrew.

A message from the Senate by Mr. Raridon, a member: Announcing that the Senate have passed an engrossed bill, from this House, entitled "An act to repeal an act, entitled "An act for altering the western boundary line of Wayne county, and for other purposes,"—approved, January 11, 1823, without amendment, and that they have passed an engrossed bill, entitled, "An act divorcing John Spahr, from his wife Vashta Spahr, in which they desire the concurrence of this House. And then withdrew.

The same was read the first time, and

On motion rejected.

A message from the Senate by Mr. Jenckes, a member: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act divorcing Jane Spencer, from her husband, Moses Spencer, without amendment. And then withdrew.

A message from the Senate by Mr. Thompson a, member: Announcing that the Senate have passed an engrossed bill, entitled "An act to divorce Abraham Miller from his wife Amy Miller," in which he asked the concurrence of this House. And then withdrew.

The same was read a third time, and

On motion, rejected.

A message from the Senate by Mr. Sholtz, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act to establish a state road from French Lick to Hindostan, and for other purposes," in which they desire the concurrence of this House. And he then withdrew.

The same was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

Mr. Law moved to re-consider the vote, on adopting the following as an amendment to the 2d section of the bill, incorporating congressional townships, and

providing public schools therein, to wit:—"no lease shall be made for a longer term than ten years."

Which was carried in the affirmative.

The question was then put, shall said amendment be adopted? And decided in the negative.

The ayes and noes being called for by two members, were as follows, to wit:

Those who voted for adopting the amendment were,

Messrs. Arion, Bowers, Burnett, Clark, Clendenin, Cotton, Hillis, Hendricks, Johnson, Kennedy, Palmer, Pennington, Robertson, Williams and Zenor—15.

And those who voted against adopting the said amendment were,

Messrs. Armstrong, Blythe, Brownlee, Child, Dixon, Edwards, Everts, Hill, Huston, Irwin, Jelly, Jones, Law, Lomax, Marshall, Murdock, Nelson, Oliver, Paxton, Riley, Schnee, Stevens, Tadlock, Wright and Maxwell, speaker—25.

A message from the Senate by Mr. Milroy, a member: Announcing that the Senate have passed an engrossed bill, entitled "An act allowing further compensation to Christopher Harrison, agent of the three per cent. fund," in which they desire the concurrence of this House. And then withdrew.

The same was read a first time—rule dispensed with, read the second time, and ordered to lie on the table.

Mr. Nelson from the committee for enrolled bills reported, that they have compared the enrolled with the engrossed bills, entitled "An act regulating grist mills and millers"

"An act concerning lands granted for the use of salt springs, and to encourage the manufacture of salt."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate by Mr. Milroy, a member: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act declaring certain streams therein named, public highways," with amendments, in which they desire the concurrence of this House. And then withdrew.

On motion,

The House concur in the first amendment, with an amendment, and disagree to the second amendment made by the Senate.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The House proceeded to consider the orders of the day.

The engrossed bill more effectually to regulate the practice of physic and surgery, was read the third time and passed.

Ordered, That the same be entitled 'An act,' and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill for the benefit of Henry Kimberlin, was read the third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The House resolved itself into a committee of the whole, on the following bills, to wit:

"A bill relative to foreign attachments."

"A bill confirming the board of trustees of the town of Evansville, and for other purposes."

"A bill concerning debtors and their securities," and

"A bill concerning corporations:"

After some time spent therein,

The Speaker resumed the chair, and

Mr. Arion reported the bill, confirming the board of trustees of the town of Evansville, and for other purposes, with one amendment, and the others without amendment, in which he desired the concurrence of this House.

On motion,

The House concurred therein.

Ordered, That the same be engrossed and read the third time to-morrow.

The bill and report on the subject of a canal at the falls of the Ohio, were ordered to lie on the table.

The engrossed bill to alter the north boundary line of Madison county, and for other purposes, was taken up, read the third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill for the relief of John Spencer, sheriff of Dearborn county, was taken up, and ordered to lie on the table.

The revised bill concerning corporations, was referred to a select committee of Messrs. Nelson, Stevens and Armstrong.

A message from the Senate by Mr. Sholtz, a member: Announcing that the Senate have passed an engrossed bill, which originated in this House, entitled "An act for the relief of C. G. Brown," with an amendment, in which they desire the concurrence of this House. And he then withdrew.

Which amendment was by authorizing the Board of county commissioners of Knox county, to appoint an auditor, to settle the claims of the said C. G. Brown.

Mr. Law moved to disagree to said amendment, which was decided in the negative.

So the said amendment was concurred in.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Thompson, a member: Announcing that the Senate have passed an engrossed bill to incorporate the Law Library Society, in which they desire the concurrence of this House. And he then withdrew.

The same was read the first time—rule dispensed with, read the second and third times and passed.

Ordered That the Senate be informed thereof.

The revised bills, requiring certain public officers to give security; establishing the office, and defining the duties of a Notary Public, and regulating marriages, were severally read the first time—rule dispensed with, read the second and third times, and passed.

Ordered, That the same be entitled "Acts," and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate by Mr. Ray, a member: Announcing that the Senate have receded from the 3d amendment, and insist upon the 4th amendment made by them to the bill from the House of Representatives, regulating the fees of the several officers and persons therein named. And then withdrew.

On motion, it was

Resolved, That this House insist on their disagreement to the 4th amendment to said bill.

On motion,

Resolved, That a committee of free conference be appointed on the part of this House, to act with a similar committee to be appointed on the part of the Senate, to take into consideration the subject matter of difference between the two Houses, relative to the 4th amendment made by the Senate, to the bill regulating the fees of the several officers and persons therein named.

Ordered, That Messrs. Child and Palmer, be the committee on the part of this House.

A message from the Senate by Mr. Graham, a member: Announcing that the Senate concur in the amendment made by this House to the amendments made by the Senate to the engrossed bill, entitled "An act declaring certain streams therein named, public highways," and insist on the second amendment thereto. And then withdrew.

Mr. Arion from the joint committee for enrolled bills reported: That they have compared the following en-

rolled with the engrossed bills, entitled "An act" for the appointment of constables, and defining their duties."

"An act for the relief of certain lessees of reserved lands."

"An act authorizing the county commissioners of Switzerland county, to lay a special tax therein named."

"An act authorizing the arresting and securing fugitives from justice."

"An act regulating divorces."

"An act relative to fugitives from labour."

"An act for the relief of the heirs of civil officers deceased."

"An act for the relief of James Vawter, late sheriff of Jefferson county."

"An act supplemental to an act to regulate the judicial circuits, and fixing the times of holding courts," —approved, January 14, 1824.

"An act to license and regulate taverns."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate by Mr. Gregory, a member: Announcing that the Senate insist on their amendment to the bill, organizing circuit courts, and defining their powers and duties. And then withdrew.

On motion, it was

Resolved, That the House do insist on their disagreement to said amendments.

On motion,

Resolved, That a committee of free conference be appointed on the part of this House, to act with a similar committee on the part of the Senate to take into consideration the subject matter of difference between the two Houses, on the amendments made by the Senate to the bill, organizing circuit courts, and defining their powers and duties.

Ordered, That Messrs. Stevens and Bullock, be that committee, and that the Senate be informed thereof.

Whereupon,

The House adjourned until to-morrow morning nine o'clock.

WEDNESDAY MORNING, JANUARY 21, 1824

The House met pursuant to adjournment.

Mr. Tadlock, from the select committee to whom was referred, the petition of sundry citizens of Perry county, praying for a part of their county to be attached to the county of Crawford, reported a bill in compliance with the prayer of the petitioners; which was read the first time, and on motion of Mr. Edwards, postponed until the second Monday in January next.

Mr. Jelly from the select committee to whom was referred, several bills relative to the boundaries of counties reported a bill, on that subject; which was read the first time— rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

Mr. Paxton having obtained leave, introduced a bill giving further powers to the agent at Indianapolis; which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

The engrossed bill confirming the board of trustees of the town of Evansville, was referred to the same committee, to whom was referred the revised bill providing for the incorporation of towns.

Ordered, That the clerk be authorized to employ some fit person for the present as an assistant engrossing and enrolling clerk.

The House resolved itself into a committee of the whole, on the bill for the better management of the state prison, and for other purposes;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Child reported the same with amendments, in which he desired the concurrence of the House. And

On motion,

The House concurred therein.

Ordered, That the same be engrossed for a third reading on to-morrow.

Mr. Blythe presented the petition of Henry M'Kenzie and others, and John Lilley and others, citizens of Dearborn and Franklin counties; which were read and referred to the committee of the whole, to whom was referred the engrossed bill, from the Senate, entitled "An act establishing a state road from the French Lick to Hindostan, and for other purposes."

The House resolved itself into a committee of the whole on said bill and petitions:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Oliver reported the same with amendments, in which he desired the concurrence of the House.

On motion,

The House refused to concur in the first amendment, but concurred in the second.

Ordered, That the same be engrossed and read the third time to-morrow.

The following engrossed bills, to wit:—A bill concerning corporations; a bill to attach a part of the county of Gibson, to the county of Pike; and a bill to perpetuate testimony, were severally read the third time and passed.

Ordered, That the same be entitled "Acts"—and that the Senate be informed thereof, and their concurrence requested.

On motion of Mr. Blythe,

Leave was granted Henry M'Kenzie and others, to withdraw their petitions.

A message from the Senate by Mr. Farnham, their

assistant secretary: Announcing that the Senate have passed the following engrossd bills, from the House of Representatives, entitled acts, to wit:—"An act for the benefit of Henry Kimberlin."

"An act for altering the north boundary line of Madison county, and for other purposes," without amendment. Also,

"An act for vacating a part of the Bethlehem state road, and for other purposes," with an amendment.

"An act authorizing the printing and distributing the acts, journals, and joint resolutions of the present General Assembly, and for other purposes," with amendments, in which they desire the concurrence of this House. And then withdrew.

On motion,

The House concurred in all the said amendments, except the 1st and 8th amendment, to the last mentioned bill, to which the House disagree.

Ordered, That the Senate be informed thereof.

Mr. Nelson from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bills, entitled:—

"An act divorcing Jane Spencer, from her husband, Moses Spencer."

"A joint resolution on the subject of domestic manufactures."

"A joint resolution to provide for enclosing the grave of the late John N. Dunbar, esq. late a member of this General Assembly."

"An act legalizing the board of trustees of Vigo county."

"An act authorizing the seizure of boats and other vessels for debt."

"An act, entitled an act, for altering the western boundary line of Wayne county."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Engrossed bills of the following titles, to wit: A bill concerning debtors and their securities; And a bill relative to foreign attachments; were severally read the third time and passed.

Ordered, That the same be entitled "Acts," and that the Senate be informed thereof, and their concurrence requested.

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House assembled.

The bill altering the boundary line between the counties of Jennings and Jefferson, was taken up, and

On motion of Mr. Hillis,

Postponed until the second Monday in January 1825.

The bill to appoint commissioners to review part of a certain state road was taken up, and

On motion, postponed indefinitely.

Revised bills of the following titles, to wit:—a bill for the appointment of county surveyors and their deputies; a bill concerning clerks; a bill regulating the firing of woods, prairies and other lands; a bill regulating the inspection of flour, pork and beef; a bill regulating the admission and practice of attorneys and counsellors at law; and a bill concerning the secretary of state, were severally read the first time—rule dispensed with, read the second and third times and passed.

Ordered, That the same be entitled "Acts," and that the Senate be informed thereof, and their concurrence requested.

The revised bill for the relief of the poor, was read the first time, rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

The revised bill establishing the office of county treasurer, was taken up, and

On motion,

Re-committed to a select committee of Messrs Stevens, Nelson and Bullock.

The revised bill to provide for electing county and township officers was taken up, and re-committed to the same committee to whom was referred the above bill.

The bill concerning judgments and executions, was taken up, and indefinitely postponed.

The petition of Samuel Cobb and others, was taken up, and referred to a select committee of Messrs. Clendenin, Riley and Palmer.

The bill to repeal the act entitled an act supplemental to an act, entitled "An act regulating the firing of woods, prairies, and other lands, was taken up, and indefinitely postponed.

On motion of Mr. Nelson,

Resolved, That a select committee be appointed to inquire into, and report to this House, whether any, and what statutary provisions which are now in force, remain unprovided for, or undisposed of, by the several bills passed or now in possession of either of the two Houses, and that a similar committee be requested on the part of the Senate, to act with the committee on the part of this House.

Whereupon.

Messrs. Nelson, Bullock and Law, were appointed that committee.

A message from the Senate, by Mr. Gray, a member: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act establishing the office, and defining the duties of notary public," without amendment. And then withdrew.

A message from the Senate, by Mr. Craig, a member: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act requiring certain public officers to give security," without amendment. And then withdrew.

A message from the Senate, by Mr. Grass, a member: Announcing that the Senate have passed a joint resolution from this House, entitled "A joint resolution on the subject of extinguishing Indian title to lands within this state," without amendment. And he then withdrew.

Mr. Reed asked and obtained leave of absence, during the balance of the session.

Whereupon,

The House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, JANUARY 22, 1824.

The House met pursuant to adjournment.

Mr. Nelson from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bills, entitled "An act providing for the settlement of decedents' estates and for other purposes;" And "An act to attach part of the county of Gibson to the county of Pike." And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Stevens from the select committee to whom was referred the revised bill for the election of county and township officers, reported the same without amendment. Which was read the third time, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

Mr. Nelson from the select committee to whom was referred the bill confirming the board of trustees of the town of Evansville, and for other purposes, reported

the same without amendment. Which was read the third time, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

Mr. Edwards from the select committee to whom was referred sundry petitions from citizens of Pike and Gibson counties, reported a bill attaching a part of the counties of Pike and Gibson to the county of Warrick; and a bill to attach a part of the county of Warrick to the county of Spencer, and for other purposes; which were severally read a first time—rule dispensed with, read the second time, and postponed until the second Monday in January, 1825.

Mr. Clendenin from the select committee to whom was referred the petition of Samuel Cobb and others, reported a bill to prevent waste on lands reserved for the use of salt springs, and for other purposes. Which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

A message from the Senate, by Mr. Montgomery: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act to attach a part of the county of Gibson to the county of Pike, without amendment. And then withdrew.

Mr. Murdock moved the adoption of the following resolution:

Resolved, That no new business will be received by this House after Monday next.

Which was decided in the negative.

Mr. Nelson from the select committee to whom was referred the revised bill, providing for the incorporation of towns, reported the same with amendments. Which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

The engrossed bill from the Senate, entitled "An act

establishing a state road from the French Lick to Hindostan, and for other purposes, was read the third time as amended, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The House resolved itself into committee of the whole, on the bill establishing the boundaries of counties:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Hillis reported progress, and asked leave to sit again. Which leave was not granted.

On motion,

The committee of the whole were discharged therefrom.

Ordered, That the same lie on the table until tomorrow.

The House resolved itself into a committee of the whole, on the bill for the relief of the poor:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Armstrong reported the same with amendments; in which he desired the concurrence of the House.

On motion,

The House concurred in said amendments; except the 4th. Which authorizes the county commissioners in each county, throughout the state, to build a poor house, when they may deem it expedient; in which the House did not concur. The ayes and noes being called for by Messrs. Hillis and Arion, were as follows, to wit:

Those who voted for concurring in said amendment were,

Messrs. Armstrong, Blythe, Bowers, Brownlee, Burnett, Clark, Everts, Huston, Irwin, Law, Marshall, M'Call, Nelson, Oliver, Paxton and Wright—16.

And those who voted against concurring in said amendment were,

Messrs. Arion, Bullock, Child, Clendenin, Cotton, Dixon, Edwards, Hill, Hillis, Hendricks, Jelly, Johnson, Jones, Kennedy, Lomax, Milbourn, Murdock, Palmer, Pennington, Riley, Robertson, Schnee, Tadlock, Williams, Zenor and Maxwell, speaker—26.

Ordered, That the same be engrossed, and read the third time to-morrow.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House assembled.

A message from the Senate, by Mr. Graham: Announcing that the Senate have adopted the following resolution, to wit:

Resolved, That the Senate insist on their amendments made to the bill subjecting real and personal estate to execution; to which the House of Representatives have disagreed. And

Resolved, That a committee of free conference be appointed on the part of the Senate, to act with a similar committee to be appointed on the part of the House of Representatives, on the subject of their disagreement to the amendments made to said bill—and that the Senate have appointed Messrs. Graham and Montgomery, a committee on their part.

On motion, it was

Resolved, That this House do insist on their disagreement to said amendments. And

On motion,

Resolved, That a committee of free conference be appointed on the part of this House, to act with a similar committee appointed on the part of the Senate, to take into consideration, the subject matter of difference between the two Houses, relative to the amendments

made by the Senate, to the bill subjecting real and personal estate to execution.

Whereupon,

Messrs. Evans and Clendenin were appointed that committee on the part of this House.

Ordered That the Senate be informed thereof.

A message from the Senate, by Mr. Harrison: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act confirming the board of trustees of the town of Evansville, and for other purposes," without amendment. And then withdrew.

A message from the Senate, by Mr. Raridon: Announcing that the Senate have passed an engrossed bill entitled—

"An act to regulate proceedings in actions of slander, malicious prosecutions, and actions of trespass, vi et armis."

Which was read the first time—rule dispensed with, read the second time. And

On motion of Mr. Stevens,

Indefinitely postponed.

A message from the Senate, by Mr. Farnham, their assistant Secretary: Announcing that the Senate have passed engrossed bills from this House, entitled acts, to wit:—

"An act concerning the secretary of state."

"An act for the appointment of county surveyors and their deputies."

"An act establishing a state road from Petersburgh to Washington." And

"An act to perpetuate testimony," without amendment. And that they have also passed engrossed bills from this House, entitled—

"An act regulating the practice in suits at law." And

"An act regulating the practice in suits in chancery," with amendments; in which they desire the concurrence of this House. And he then withdrew.

The amendments to the two last mentioned bills were severally read and concurred in by the House.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Milroy: Announcing that the Senate have passed an engrossed bill from this House, entitled—

"An act authorizing the action of disseisin," without amendment. And then withdrew.

Mr. Arion from the joint committee for enrolled bills reported:—That they did on this day, present to his Excellency, the Governor, for his approval and signature—

"An act authorizing the arresting and securing fugitives from justice."

"An act regulating divorces."

"An act regulating grist mills and millers."

An act concerning lands granted for the use of salt springs, and to encourage the manufacture of salt."

"An act relative to fugitives from labour."

"An act authorizing the county commissioners of Switzerland county, to lay a special tax therein named."

"An act for the appointment of constables, and defining their duties."

"An act for the relief of certain lessees of reserved lands."

"An act, to repeal an act, entitled "An act, for altering the western boundary line of Wayne county, and for other purposes therein named."—Approved, January 11th 1823.

"An act divorcing Jane Spencer, from her husband, Moses Spencer."

"An act legalizing the board of commissioners of the county of Vigo."

"An act authorizing the seizure of boats and other vessels for debt."

"A joint resolution to provide for enclosing the grave

of John N. Dunbar, Esquire, late a member of the General Assembly." And

"A joint resolution on the subject of domestic manufactures."

"A message from the Senate, by Mr. Raridon: Announcing that the Senate insist on their 4th amendment made to the engrossed bill from the House of Representatives, entitled—

"An act regulating the fees of the several officers and persons therein named;" and have appointed Messrs. Raridon and Ray, a committee of free conference on their part, to act with the committee on the part of the House of Representatives, on the subject matter of difference between the two Houses, on the above named bill.

A message from his Excellency, the Governor, by Mr. Payne, his private Secretary: Announcing that he did on yesterday, approve and sign—

"An act to license and regulate taverns."

"An act for the benefit of the infant heirs of the late Jesse Roberts, deceased."

"An act for the relief of James Vawter, late sheriff of Jefferson county."

"An act relative to crime and punishment."

"An act, supplemental to an act, entitled "An act to regulate the judicial circuits, and fixing the times of holding courts;"—approved, January 14th 1824.

Also, on this day—

"An act authorizing the seizure of boats and other vessels for debt."

"An act legalizing the board of commissioners of Vigo county."

"An act divorcing Jane Spencer, from her husband Moses Spencer."

"An act to repeal an act, entitled "An act for altering the western boundary of Wayne county, and for other purposes therein named;"—approved, January 11th 1823.

"An act concerning lands granted for the use of salt springs, and to encourage the manufacture of salt."

"An act relative to fugitives from labour."

"An act authorizing the county commissioners of Switzerland county, to lay a special tax therein named."

"An act regulating divorces."

"An act regulating grist mills and millers."

"An act authorizing the arresting and securing fugitives from justice."

"A joint resolution on the subject of domestic manufactures."

"A joint resolution to provide for enclosing the grave of John N. Dunbar, Esquire, late a member of the General Assembly."

All which originated in the House of Representatives. And he then withdrew.

The House resolved itself into a committee of the whole, on the bill relative to county seminaries:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Pennington reported the same with amendments; in which he desired the concurrence of the House.

And on motion,

The House concurred therein generally.

Ordered, That the same be engrossed and read the third time to-morrow.

The House resolved itself into a committee of the whole, on the bill regulating the mode of summoning and empannelling grand and petit jurors:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Wright reported the same with several amendments, in which he desired the concurrence of the House. And

On motion,

The House concurred therein generally.

Ordered, That the same be engrossed, and read the third time to-morrow.

A message from the Senate, by Mr. Craig: Announcing that the Senate have passed an engrossed bill which originated in this House, entitled "An act providing for the alteration of a certain state road therein named, with one amendment; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred in said amendment.

Ordered, That the Senate be informed thereof.

Mr. Arion from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bills, entitled—

"An act for the relief of Claudius G. Brown."

"An act for the relief of Henry Kimberlin."

"An act vacating part of the state road from Bethlehem, by the way of New-Washington and Lexington, to intersect the state road from Mauk's ferry to Indianapolis, and for other purposes."

"An act to alter the north boundary line of Madison county, and for other purposes."

"An act requiring certain public officers to give security."

"An act for the relief of certain officers therein named."

"An act establishing the office, and defining the duties of notary public."

"An act to incorporate the Law Library Society."

And "A joint resolution on the subject of extinguishing the Indian title to lands within the state of Indiana."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate, by Mr. Graham: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act to establish a board

of trustees for the promotion of schools and education in Clark's Grant, without amendment. And he then withdrew.

The House resolved itself into a committee of the whole on the bill giving further powers to the agent for the state, at Indianapolis:

After some time spent therein,

The Speaker resumed the chair, and

Mr. Everts reported the same with amendments, by striking out the second and third sections thereof: in which he desired the concurrence of the House. And

On motion,

The House concurred therein.

Ordered, That the same be engrossed, and read the third time to-morrow.

Whereupon,

The House adjourned until to-morrow morning nine o'clock.

FRIDAY MORNING, JANUARY 23, 1824.

The House met pursuant to adjournment.

Mr. Nelson presented a claim of D. C. Lane, late Treasurer of State; and also, a claim of A. P. Spencer for certain extra work done at the state prison; which was read and referred to the committee of ways and means.

The Speaker laid before the House, the claim of William Jackson; which was read and referred to the committee of ways and means.

The Speaker laid before the House, the petition of James Scoby, praying to be divorced from his wife Ruth; which was read and leave given to withdraw the same

Mr. Nelson from the joint committee for enrolled

bills reported—That they have compared the enrolled with the engrossed bill, entitled "An act authorizing the action of disseisin"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Pennington from the select committee, to whom was referred petitions on that subject, reported a bill for the relief of Thomas Highfill and Samuel Little; which was read the first time—rule dispensed with, read the second and third time and passed.

Ordered, That the same be entitled 'An act,' and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill for the relief of John Spencer, sheriff of Dearborn county, was taken up, read the third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The House resolved itself into a committee of the whole, on the bill for the incorporation of towns;

After some time spent therein,

The Speaker resumed the chair, and

Mr. Arion reported the same with an amendment, in which he desired the concurrence of the House. And

On motion,

The House concurred therein.

Ordered, That the same be considered as engrossed and read the third time to-morrow.

The House resolved itself into a committee of the whole, on the bill to prevent waste on lands reserved for the use of salt springs, and for other purposes;

After some time spent therein,

The Speaker resumed the chair, and

Mr. Burnett reported the same with one amendment, in which he desired the concurrence of the House.

On motion,

The House concurred therein.

Ordered, That the same be engrossed and read the third time to-morrow.

A message from the Senate by Mr. Gray—Announcing that the Senate have passed an engrossed bill from this House, entitled "An act for the relief of John Spencer, sheriff of Dearborn county, without amendment. And then withdrew.

The engrossed bill for assessing and collecting the revenue, was read the third time and passed.

Ordered, That the same be entitled "An act"—and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Slaughter: Announcing that the Senate have passed engrossed bills from this House, entitled—

"An act prescribing the mode of changing the venue."

And "An act for the incorporation of county libraries," without amendment. And then withdrew.

The engrossed bill incorporating Congressional townships, and providing for public schools therein, was read the third time, and passed.

The ayes and noes being demanded by Messrs. Cotton and Arion, were as follows, to wit:—

Those who voted in the affirmative were,

Messrs. Blake, Blythe, Bowers, Brownlee, Child, Clark, Clendenin, Dixon, Edwards, Evans, Everts, Hill, Huston, Irwin, Jelly, Johnson, Jones, Kennedy, Law, Lomax, Marshall, M'Call, Milbourn. Murdock, Nelson, Oliver, Palmer, Paxton, Pennington, Riley, Robertson, Schnee, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—37.

And those who voted in the negative were.

Messrs. Arion, Armstrong, Bullock, Burnett, Cotton, Hillis, Hendricks and Stevens—8.

The engrossed bill authorizing the printing of sundry private acts by their titles, and re-printing sundry statutes, and for other purposes, was read the third time, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

Mr. Blake having obtained leave, presented a bill, supplemental to an act, entitled "An act authorizing the citizens of towns to vacate the same, or any part thereof, and for other purposes; which was read the first time—rule dispensed with, read the second time, and ordered to be engrossed for the third reading to-morrow.

On motion of Mr. Nelson,

Resolved, That a committee be appointed to enquire into the expediency of memorializing Congress on the subject of the reserved sections at the French Lick, with leave to report a memorial, praying the sale of said sections; and the proceeds thereof, to be appropriated to internal improvements by canals within this state.

Whereupon,

Messrs. Nelson, Pennington, Marshall and Clendenin, were appointed that committee.

Mr. Arion from the joint committee for enrolled bills reported: That they did on this day, present to his Excellency the Governor, for his approval and signature—

"An act authorizing the action of disseisin."

"An act to attach a part of the county of Gibson to the county of Pike, and for other purposes."

"An act to incorporate the Law Library Society."

"An act requiring certain public officers to give security."

"An act to alter the north boundary line of Madison county, and for other purposes."

"An act for the relief of certain officers therein named."

"An act establishing the office and defining the duties of notary public."

"An act vacating part of the state road from Bethlehem, by the way of New-Washington and Lexington, to intersect the state road from Mauk's ferry to Indianapolis, and for other purposes."

"An act for the relief of Henry Kimberlin."

"An act for the relief of Claudius G. Brown." And

"A joint resolution on the subject of extinguishing the Indian title to lands within the state of Indiana."

Mr. Evans submitted the following report, to wit:

That the committee of free conference appointed on the part of the House of Representatives, to act with a similar committee appointed on the part of the Senate, on the subject matter of difference between the two Houses, relative to the amendments made by the Senate, to the bill subjecting real and personal estate to execution, have had the same under consideration, and report as follows, to wit:—

Your committee have agreed to recede from the disagreement made on the part of the House of Representatives, to the first amendment made by the Senate to said bill; which amendment was by striking out the third section of said bill. Which provides that real estate under execution, shall not be sold for less than one half its appraised value, on judgments rendered on contracts made previous to the first day of June, 1824. Which appraisement extends only to half quarter section of land, or house and lot in town. They have also agreed to recede from the disagreement made to the second amendment made by the Senate to said bill.—The committee on the part of the Senate, have agreed to recede from their third amendment. Which was to strike out the fifth section; that the articles named in said section, to be exempt from execution, shall not exceed fifty dollars in value. Your committee have a-

greed with the committee on the part of the Senate, that the twelfth section of said bill shall be so modified, that there shall be a stay of execution of from thirty to one hundred and eighty days, agreeably to the original shape of the engrossed bill.

The committee on the part of the Senate have agreed to recede from the seventh amendment, made by the Senate to said bill.

On the question being put, will the House concur in said report? Was carried in the affirmative. The ayes and noes being called for by Messrs. Arion and Bullock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blake, Bowers, Brownlee, Burnett, Clendenin, Dixon, Edwards, Evans, Hill, Hendricks, Huston, Irwin, Johnson, Kennedy, Law, Lomax, Marshall, Milbourn, Murdock, Oliver, Palmer, Pennington, Riley, Robertson, Schnee, Williams, Wright, Zenor and Maxwell, speaker—29.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blythe, Bullock, Child, Clark, Cotton, Everts, Hillis, Jelly, Jones, M'Call, Nelson, Paxton, Stevens and Tadlock—16.

Whereupon.

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

Mr. Nelson from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bill, entitled "An act to perpetuate testimony;" and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

The bill relative to the boundaries of counties, was

taken up and ordered to be engrossed for third reading on Monday.

The House resolved itself into a committee of the whole on the bill providing for a canal at the Falls of Ohio.

After some time spent therein;

The Speaker resumed the chair, and

Mr. Clendenin reported the same with amendments; in which he desired the concurrence of the House.

On motion, the House concurred therein, and

On motion of Mr. Law,

Ordered to lie on the table until Monday next.

A message from the Senate, by Mr. Stapp, a member: Announcing that the Senate concur in the report of the committee of free conference, appointed by the two Houses, to take into consideration the subject matter of difference between them, relative to the 14th amendment made by the House of Representatives, to the bill regulating the jurisdiction and duties of justices of the peace. And then withdrew.

Mr. Child submitted the following report, to wit:

Mr. Speaker,

The joint committee of free conference, to whom was referred the disagreement between the two Houses, on the 4th amendment made by the Senate, to the bill regulating the fees of the several officers and persons therein named; have had the same under consideration and agreed to strike out all parts of said bill which relates to allowances to clerks and sheriffs, for extra services, and to add at the end of the bill, the following section, to wit: "The board of county commissioners of the several counties, are hereby authorized to make an annual allowance to the clerk and sheriff of the county, in any sum not exceeding seventy dollars each; which allowance shall be in full for all and singular, the extra services done by such sheriff and clerk, and each of them, for either the state or county, and in full for all fees chargeable to the state

or county, and in full for all prosecutions lost or other demands of like nature."

Which report the House concurred in.

A message from the Senate, by Mr. Graham: Announcing that the Senate have concurred in the report of the committee of free conference, appointed on the subject of the disagreement between the two Houses, relative to the amendments made by the Senate, to the bill subjecting real and personal estate to execution. And he then withdrew.

Mr. Child submitted the following report, to wit:

Mr. Speaker,

The committee of free conference, appointed by the two Houses to take into their consideration the subject matter of difference between them, relative to the 14th amendment made by the House of Representatives to the bill regulating the duties and jurisdiction of Justices of the Peace, agree that the House of Representatives recede from their amendment, and that so much of the 19th section of said bill as was stricken out by said amendment, be so modified as to authorize a stay of execution on judgments rendered, or contracts or causes of action, prior to the first day of June, 1824, for the term of thirty, sixty, ninety, one hundred and twenty, and one hundred and fifty days, agreeably to the provisions of this act.

Which report the House concurred in.

The engrossed bill, giving further powers to the Agent at Indianapolis, was read the third time and passed.

Ordered, That the same be entitled An act, and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill, relative to county seminaries, was read the third time and passed.

Ordered, That the same be entitled "An act," and

that the Senate be informed thereof, and their concurrence requested.

Whereupon,

The House adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, JANUARY 24, 1824.

The House met pursuant to adjournment.

The Speaker laid before the House, a communication from William H. Lilly, Auditor of Public Accounts, in pursuance of a resolution of the 19th inst. which was read and ordered to lie on the table.

AUDITOR'S OFFICE:
CORYDON, 23d JANUARY, 1824.

The Auditor of Public Accounts, in obedience to the resolution of the House of Representatives, adopted on the 19th inst. requesting information relative to delinquent Collectors, prior to the year 1823, begs leave to REPORT:

That there are no returns to this office, by which the names of collectors or their securities, can be known; that suits have been, in most instances, ordered against collectors, shortly after the revenue became due; and generally the money has been collected and paid over; but whether after judgment was obtained against the collectors and their securities, the Auditor cannot say. The law, till the year 1821, required suits against collectors to be commenced by the prosecuting attornies of the several counties; the names of these prosecutors were unknown to the Auditor, and when any difficulties occurred, they were communicated annually to, and provided for, by the Legislature.

Prior to the year 1821, judgment had been obtained

against the collector of Wayne county and his securities; further time was, by an act of the Legislature, given on this judgment.

The judgment in the above case was not rendered for the full amount of the account forwarded, owing to a remission, by the late Governor, of fines, which composed a part of that account.

Accounts of balances against the collector of Wayne and Fayette, for the years 1820 and 1821, were put into the hands of Mr. Caswell. The whole amount due, it is understood, has been collected by him, and a part paid to the late Treasurer; and more than enough erroneously entered by him to the credit of Wayne for the year 1821, which leaves more than a just balance due for the former year. If these entries had been properly made, there would still be a balance of $189 9 in the hands of Mr. Caswell, which he says he received in State Bank Paper while it was a tender, and forgot to pay it over in time; but that he expects, thro' Gen. Noble, to have it entered to the credit of the state on the bonds in the hands of the Secretary of the United States' Treasury.

The balance due from Dearborn county, for the year 1819, it is supposed must be in the hands of the then prosecuting attorney. The account was properly forwarded to him, but by a mistake in entering the duplicate on the book of this department, the sum of one hundred and eighteen dollars was twice entered; so that in making a settlement, that prosecutor did not pay over so much by the above sum, as he should have done.

The balance standing against Clark county, it is believed cannot be collected.

Various other accounts have been put into the hands of Messrs. Nelson, Fitch, and Smith, in some of which cases, judgments have been obtained; in others, whether the failure be owing to the attorney, or some other cause, the Auditor is not able to say. Nor is he suffi-

ciently acquainted with these collectors, or their securities, to state what is the probability in any instance, except the above, of the ultimate collections of the revenue from them.

The balances against the different counties have been presented to the House by the committee of Ways and Means—Owing to a difference in calculating, some small balances appear, in that report, where there are none on the books; and in keeping such multifarious accounts, such a length of time, it is not extraordinary that some mistakes should occur; but they are not numerous, nor of such a nature as to occasion a final loss to the state.

Respectfully submitted,

WM. H. LILLY, Aud. Pub. Ac'ts.

Mr. Arion, from the committee for enrolled bills, reported, that they have compared the enrolled with the engrossed bill entitled "An act, declaring certain streams therein named public highways"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Pennington, having obtained leave, presented a bill supplemental to an act, entitled "An act to establish the permanent seat of government of the state of Indiana:" which was read the first time—rule dispensed with, read the second time, And

On motion of Mr. Murdock,

Indefinitely postponed.

On motion of Mr. Pennington,

The said vote was reconsidered, and the bill ordered to lie on the table until Tuesday next.

Mr. Stevens, having obtained leave, presented a bill, authorizing the re-issue of a sufficient amount of Treasury Notes to pay the members of the General Assembly; which was read the first time—rule dispensed

with—read the second time, and ordered to lie on the table.

On motion of Mr. Child,

Resolved, That the Treasurer of State be requested to inform this House what progress has been made in obtaining the loan; and whether there is a prospect of obtaining more, previous to the adjournment of the General Assembly.

A message from the Senate, by Mr. Craig—Announcing that the Senate have passed an engrossed bill entitled "An act for changing certain state roads therein named and for other purposes," in which they desire the concurrence of this House. And then he withdrew.

The same was read the first time—rule dispensed with, read the second time and ordered to lie on the table.

A message from the Senate, by Mr Ray: Announcing that the Senate have passed an engrossed bill entitled "An act for the formation of Congressional Districts, and for the election of Senators and Representatives to Congress," in which they desire the concurrence of this House. And then he withdrew.

The same was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole on Monday next.

A message from the Senate, by Mr. Chambers: Announcing that the Senate have concurred in the amendments made by this House, to the engrossed bill from the Senate, entitled "An act establishing a state road from the French Lick to Hindostan, and for other purposes." And then he withdrew.

A message from the Senate, by Mr. Thompson: Announcing that the senate have passed engrossed bills from this House, entitled "An act concerning debtors and their securities," without amendment, and "An act to regulate marriages," with an amendment, in which

they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

Ordered That the Senate be informed thereof.

The engrossed bill, providing for the incorporation of towns, was read the third time and passed.

Ordered, That the same be entitled "An act;" and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill, to prevent waste on lands reserved for the use of salt springs and for other purposes, was read the third time and passed.

Ordered, That the same be entitled "An act;" and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Rariden: Announcing that the Senate have concurred in the report of the committee of free conference, appointed on the part of both Houses, to take into consideration the subject matter of difference between the two Houses, relative to the amendments, made by the Senate, to the engrossed bill from the House of Representatives, entitled An act establishing the fees of the several officers and persons therein named. And he then withdrew.

Whereupon,

The House adjourned until 2 o'clock P. M.

2 *o'clock, P. M.*

The House assembled. And

On motion,

Adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, JANUARY 26, 1824.

The House met pursuant to adjournment.

Mr. Arion, from the joint committee for enrolled bills reported, that they have compared the enrolled with the engrossed bill, entitled "An act authorizing the printing and distributing the acts, joint resolutions, and journals of the present General Assembly and for other purposes"—And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Armstrong having obtained leave, presented a bill for the relief of the collector of Clark county—which was read the first time—rule dispensed with, read the second and third time, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

Mr. Hillis, from the select committee to whom was referred a resolution of this House, on the subject of taxing certain lands within this state, reported a joint resolution on that subject; which was read the first time—rule dispensed with, read the second time, and

On motion of Mr. Hillis,

Amended by adding that his Excellency, the Governor, be authorized to transmit to each of our Senators and Representatives in Congress, and the Speaker of the House of Representatives, each, one copy of the same.

Mr. Williams having obtained leave, presented a bill for the relief of Polly Brown; which was read the first time—rule dispensed with, read the second and third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

Mr. Arion from the joint committee for enrolled bills reported: That they did, on Saturday last, present to

his Excellency, the Governor, for his approval and signature—

"An act to perpetuate testimony."

"An act declaring certain streams therein named, public highways." And

"An act providing for the settlement of decedents' estates and for other purposes."

The House proceeded to consider the orders of the day.

The engrossed bill for the better management of the state prison and for other purposes; was read the third time and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Stapp: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act relative to foreign attachments, with amendments, in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred in said amendments, with an amendment.

Ordered, That the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Thompson: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act to establish a state road from Jacob's Ford on Silver creek, in Clark county, to the Slate Ford on the South Fork of the Muskacatuck, in Scott county, with amendments; in which they desire the concurrence of this House. And he then withdrew.

On motion,

Resolved, That this House disagree to said amendments.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Farnham, their

assistant secretary: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act for the relief of Samuel Little and Thomas Highfill, without amendment. And that they have received official information, that his Excellency, the Governor, did, on the day of this inst. approve and sign—

"An act, supplemental to an act, entitled an act to incorporate the town of Madison."

"An act for the relief of Elias Willets, late sheriff of Wayne county."

"An act to enable the commissioners to change a part of the state road from Mauk's ferry to Indianapolis, and for other purposes."

"An act to regulate the Judicial Circuits, and fixing the times of holding Courts."

"An act regulating certain public property in the county of Spencer."

"An act supplemental to an act to regulate the Judicial Circuits and fixing the times of holding Courts therein, passed at the present session."

"An act to provide for the election of Electors of President and Vice-President of the United States."

"An act for the relief of Seveir Lewis."

All of which originated in the Senate.

The House resolved itself into a committee of the whole, on the bill from the Senate, for the formation of Congressional districts, and for the election of Senators and Representatives to Congress:

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Pennington reported the same with amendments, in which he desired the concurrence of the House.

On motion,

The House concurred in all the amendments, except the second, which takes the county of Delaware from the second Congressional district, and attaches it to the third, in which the House did not concur.

Mr. Arion then moved to strike the county of Delaware from the second Congressional district; which was decided in the negative.

Ordered, That the same be engrossed and read the third time to-morrow.

A message from the Senate, by Mr. Craig: Announcing that the Senate have passed an engrossed bill, entitled An act to authorize the change of a state road therein named, in which they desire the concurrence of this House. And then he withdrew.

The said bill was read the first and second time, and

On motion of Mr. Bullock,

Indefinitely postponed.

A message from the Senate, by Mr. Slaughter: Announcing that the Senate have passed an engrossed bill, entitled "An act, supplementary to an act authorizing laying off certain state roads, and appropriating one hundred thousand dollars of the fund commonly called the 3 per cent. fund for opening said roads;" Approved, December 22, 1823, in which they desire the concurrence of this House. And he then withdrew.

And on motion, the same was indefinitely postponed.

Mr. Everts, having obtained leave, presented a bill concerning the seminary lands in Gibson and Monroe counties; which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

Whereupon,

The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House assembled.

On motion of Mr. Stevens,

The House re-considered the vote on disagreeing to the amendments made by the Senate to the engrossed bill from this House, entitled An act to establish a state road from Jacob's ford, on Silver creek, in Clark coun-

ty, to the State ford, on the South Fork of the Muskacatuck, in Scott county.

And on motion, concurred in said amendments with an amendment, by striking out the second section of said amendments.

Ordered, That the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Chambers: Announcing that the Senate have passed an engrossed bill, from the House of Representatives, for the relief of the poor, with amendments; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

Mr. Reed, Representative from the counties of Daviess and Martin, appeared and resumed his seat.

The House proceeded to consider the orders of the day.

The engrossed bill relative to the boundaries of counties, was read the third time, and ordered to lie on the table until to-morrow.

The following communication was received from Samuel Merrill, Esq. Treasurer of State, in pursuance of a resolution of this House on Saturday last; which was read, and together with the bill authorizing the reissue of treasury notes, referred to the committee of ways and means.

To the Speaker of the House of Representatives.

The Treasurer, in obedience to a resolution of the House of Representatives of the 24th inst. requesting him to inform the House what progress has been made in obtaining a loan, and whether there is a prospect of obtaining more, previous to the adjournment of the General Assembly, begs leave to REPORT:

That a loan of five thousand dollars has been made to the state, by Frederick Rapp, payable in two, three,

and four years, of which loan $3,805 were in specie, and the balance in treasury notes, and a warrant of Judge Goodlette; and that the amount of specie belonging to the seminary fund is $350.

Communications have been made from this department to a number of persons from whom it was supposed loans might be procured. The only answer yet received, is from the Cashier of the Madison Bank, of which the following is an extract:

"I am instructed to answer, that the Bank will loan the state, for the term of one year, three thousand dollars, on condition that the Legislature repeal, at the present session, the law taxing the Bank. The reason why they make that a condition is, that the present tax is so extremely burthensome, at a time when every man must know that nothing can be made. If this should be done, it is proper to inform you that the sum of $1,209 34 will be paid in treasury notes," &c.

It is not expected that any further loans will be made, previous to the adjournment of the Legislature; but the cash on hand will, it is presumed, pay the necessary expenses of the members at this place, and for the paper for the public printing, and that from further loans or revenue, sufficient funds can be obtained for the other expenditures of the government. The Executive department, at least, will be satisfied with this arrangement, and though no further loans be procured, yet, if the act continue in force, it will have a sensible effect on the value of the demands against the state, for it guarantees to those who choose it, a remuneration for present delay, and a certainty of future payment.

The treasury notes at present in circulation, amount to $ 8,525, a sum which it is believed need not be increased. The difficulties that must arise in this department, when it is left to the discretion of the Treasurer to pay out funds different in value, must be his excuse for expressing a fervent wish, that recourse may not be again had to treasury notes.

The sums that will become due, immediately on the adjournment of the Legislature, will be a little upwards of $12,000, of which one third can be paid in specie; more than another third will be paid in for revenue, and the balance, about $4,000, will be all that will be necessary to be outstanding, and one half of this may be calculated to come in within the year, for the revenue of 1823. If interest should be allowed on warrants which might be paid in for the revenue of 1824, it would operate in the nature of a loan, prevent depreciation, and the interest would not be considerable. Probably two hundred and fifty dollars would be all that would accrue on such warrants, and all that may be subsequently issued and paid in the same way.

I have the honour to be, &c.

S. MERRILL.

D. H. MAXWELL, Esq. Speaker &c.

Whereupon,

The House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, JANUARY 27, 1824.

The House met pursuant to adjournment.

Mr. Evans, from the committee of ways and means, reported a bill making general appropriations for the year 1824; which was read the first time—rule dispensed with, read the second time, considered as engrossed, read the third time and passed.

Ordered, That the same be entitled "An act;" and that the Senate be informed thereof, and their concurrence requested.

And also, a bill making specific appropriations for the year 1824; which was read the first time—rule dispensed with, read the second time, and referred to a committee of the whole to-morrow.

And also, the following report and communication from his Excellency, the Governor, to wit:

Your committee beg leave to remark, that from a thorough conviction on the minds of your committee, that the revision and compilation of the laws, by his Excellency, the Governor, has been executed with much labour, and in a manner fully to meet the expectations of the members of the present General Assembly, and of the state generally, and that the state has received much benefit thereby; and believing that the feelings and opinions of this House are in unison with the feelings and opinions of your committee on that subject, your committee were disposed to make his Excellency a liberal compensation therefor; but from the wish expressed by his Excellency, to the contrary, to your committee at various times, and particularly by his Excellency's letter to your committee, herewith transmitted, and which your committee request may be spread on the Journals of this House; your committee have declined making any appropriation for that purpose.

Your committee have made an appropriation to the Honourable Isaac Blackford, for his services as an assistant to your committee, in forming the lengthy, (and as your committee hope,) useful report which your committee have heretofore had the honour of submitting to this House; notwithstanding a manifestation of that Gentleman's wish, expressed to your committee, to the contrary. Your committee feel themselves so much indebted, and believe the state to have been so much benefited, by that Gentleman's services, they have made an appropriation which your committee fondly hope will be accepted of by that Gentleman.

Your committee have had under their consideration the bill authorizing a re-issue of treasury notes, and the report of the Treasurer, both of which were referred to your committee, and beg leave to recommend that no re-issue of treasury notes should take place, and that the third and fourth sections of the above

named bill be enacted into a law, the first and second sections thereof, being first stricken out.

All which is respectfully submitted.

R. M. EVANS, CHAIRMAN.

CORYDON, 25th Jan. 1824.

Gentlemen of the committee of Ways and Means:
House of Representatives.

Understanding that you are shortly to meet to prepare bills of appropriation for the present session, and that there is a disposition to insert an item in my favor, as revisor of the laws, permit me to say to you, that for that service I neither expect nor wish any compensation. It is one which I had in contemplation at an early period of my services in the present office, and one which I should have performed, had no revision act passed at the last session.

Should my labors in the compilation of the laws meet with a favorable reception by the people of the state, in that consideration I shall have ample reward. If otherwise, I shall have the consolation to know that my services have not been burthensome to the state.

The appropriation of $200 in advance, heretofore made in favor of the revisor, has not been drawn.

I am, with the greatest respect,

Your obedient servant,

WILLIAM HENDRICKS.

Which report the House concurred in.

And also reported a joint resolution on the subject of the debt due the United States from this state; which was read the first time—rule dispensed with, read the second and third time, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Mr. Pennington presented the claim of Joseph Paddacks, sheriff of Harrison county, for services in attending the Supreme Court; which was read and referred

to the committee of the whole, to whom was referred the bill making specific appropriations for the year 1824.

Mr. Stevens reported that the committee of free conference to whom was referred the disagreement between the two Houses, on the amendment made by the Senate to the act organizing Circuit Courts, and defining their powers and duties, agree that the said amendment shall be so modified that the Governor shall appoint the circuit prosecutors agreeably to the provisions of said amendment, and that the office of circuit prosecutor shall commence on the second Monday in August next, and the salary shall be $250 instead of $300 as it stood in said amendment.

On the question being put, will the House concur in said report? Was carried in the affirmative.

The ayes and noes being demanded by Messrs. Murdock and Bullock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Blake, Bowers, Brownlee, Burnett, Clark, Clendenin, Dixon, Edwards, Evans, Everts, Hill, Hendricks, Irwin, Johnson, Lomax, Milbourn, Nelson, Palmer, Paxton, Reed, Riley, Schnee, Stevens, Tadlock, Williams and Wright—27.

And those who voted in the negative were,

Messrs. Arion, Blythe, Bullock, Child, Cotton, Hillis, Huston, Jelly, Jones, Kennedy, Law, Marshall, M'Call, Murdock, Oliver, Pennington, Robertson, Zenor and Maxwell, speaker—19.

A message from the Senate, by Mr. Farnham, their assistant secretary: Announcing that the Senate have passed an engrossed bill from this House entitled "An act for assessing and collecting the revenue with amendments;" And "An act to prevent waste on lands reserved for the use of salt springs and for other purpo-

ses," with an amendment, in which they request the concurrence of this House.

They have also passed an engrossed bill from this House, entitled "An act authorizing the citizens of towns to vacate said towns or any part thereof, and for other purposes."

"An act for the benefit of Polly Brown and the infant heirs of the late Henry Brown, deceased."

"An act for the incorporation of towns." Without amendment. And

"An act to regulate the mode of doing county business;" in which last mentioned act, the concurrence of this House is requested. And he then withdrew.

The act regulating the mode of doing county business; was read the first time:

Mr. Stevens then moved to reject the same. The ayes and noes being called for by Messrs Tadlock and Stevens, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Blake, Blythe, Burnett, Child, Cotton, Dixon, Huston, Jelly, Law, Marshall, M'Call, Murdock, Nelson, Schnee, Stevens and Wright—17.

And those who voted in the negative were.

Messrs. Arion, Bowers, Brownlee, Bullock, Clark, Clendenin, Evans, Everts, Hill, Hillis, Hendricks, Irwin, Johnson, Jones, Kennedy, Lomax, Milbourn, Palmer, Paxton, Pennington, Reed, Riley, Robertson, Tadlock, Williams, Zenor and Maxwell, speaker—27.

The same was read the second time and referred to a committee of the whole to-morrow.

On motion,

The House concurred in the amendment made by the Senate, to the bill to prevent waste on lands, reserved for the use of salt springs and for other purposes.

Ordered, That the Senate be informed thereof.

Ordered, That the enrolling clerk employ such assistance as he may think proper, during the present session.

A message from the Senate, by Mr. Gregory: Announcing that the Senate have concurred in the report of the committee of free conference, appointed by both Houses, on the subject matter of difference between the two Houses, relative to the amendments made by the Senate, to the bill organizing circuit courts and defining its powers and duties. And he then withdrew.

On motion,

The House concurred in all the amendments made by the Senate, to the bill for assessing and collecting the revenue, with an amendment to the 9th section, by striking out 10, and inserting 9; which reduces the per cent. allowed to sheriffs, for collecting the state revenue, to 9 per cent. except the 13th amendment, which was by striking out 50 and inserting 25 cents, in the second section, which relates to taxing bank stock; to which the House disagree.

Mr. Blake moved to amend said amendment, by striking out 25 cents and inserting 1 dollar, so as to tax bank stock one per cent. which was decided in the negative.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Whereupon,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

A message from the Senate, by Mr. Slaughter: Announcing that the Senate have passed an engrossed bill entitled "An act respecting the state road from Mauk's ferry to Indianapolis;" in which they desire the concurrence of this House. The same was read the first

time—rule dispensed with, read the second time—And on the question being put, shall said bill be read the third time to-morrow? Was decided in the negative.

So said bill was rejected.

Mr. Nelson from the joint committee for enrolled bills reported: That they have compared the enrolled with the engrossed bills, entitled "An act to establish a board of trustees, for the formation of schools and education, in Clark's Grant;" "An act for the incorporation of county libraries;" "An act prescribing the mode of changing the venue;" "An act regulating the practice in chancery;" "An act for the relief of insolvent debtors;" and "An act establishing a state road from Petersburgh to Washington." And find the same truly enrolled.

Wherenpon,

The Speaker signed the same.

The bill to abolish the office of Attorney General, was taken up,

Mr. Murdock moved that the further consideration of said bill be indefinitely postponed; which was decided in the negative. The ayes and noes being demanded by Messrs. Hillis and Murdock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Blake, Brownlee, Burnett, Clendenin, Cotton, Huston, Law, Marshall, M'Call, Murdock, Nelson, Oliver, Pennington, Reed and Zenor—16.

Those who voted in the negative were,

Messrs. Armstrong, Blythe, Bowers, Bullock, Child, Clark, Dixon, Edwards, Evans, Hill. Hillis, Hendricks, Irwin, Jelly, Johnson, Jones, Kennedy, Lomax, Milbourn, Palmer, Paxton, Riley, Robertson, Schnee, Tadlock, Williams, Wright and Maxwell, speaker—28.

On motion,

Said bill was referred to a committee of the whole to-day.

The House resolved itself into a committee of the whole on said bill;

After some time spent therein,

The Speaker resumed the chair, and

Mr. Blake reported the same with an amendment, in which he desired the concurrence of the House.

On motion, the House concurred therein.

Mr. Evans moved to amend said bill by striking out the first day of June and inserting the second Monday in August, so that said office should not expire until the last mentioned time; which was carried in the affirmative.

Mr. Evans moved further to amend said bill by adding an additional section, allowing the district prosecutor, who resides within the same district with the seat of government, a further compensation of $50 per annum, for his services in attending to suits, &c. before the supreme court, wherein the state is interested.

On the question being put, will the House adopt said amendment? was carried in the affirmative.

The ayes and noes being demanded by Messrs. Hillis and Kennedy, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Armstrong, Blake, Bowers, Brownlee, Clark, Clendenin, Edwards, Evans, Everts, Hendricks, Irwin, Jelly, Johnson, Milbourn, Murdock, Nelson, Palmer, Paxton, Pennington, Reed, Schnee, Stevens, Wright, Zenor and Maxwell, speaker—26.

And those who voted in the negative were,

Messrs. Blythe, Bullock, Burnett, Child, Cotton, Dixon, Hill, Hillis, Huston, Jones, Kennedy, Law,

Lomax, Marshall, M'Call, Riley, Robertson, Tadlock and Williams—19.

Ordered, That the said bill be engrossed and read the third time to-morrow.

The bill supplemental to an act, entitled "An act to establish the permanent seat of government of the state of Indiana" was taken up.

Mr. Murdock then moved that the further consideration of said bill be indefinitely postponed; which was carried in the affirmative.

The ayes and noes being demanded by Messrs. Murdock and Brownlee, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Blythe, Bowers, Brownlee, Clark, Dixon, Everts, Hill, Hillis, Hendricks, Irwin, Jelly, Jones, Lomax, M'Call, Murdock, Nelson, Oliver, Paxton, Riley, Robertson, Schnee, Stevens, Williams, Wright and Maxwell, speaker—26.

And those who voted in the negative were,

Messrs. Armstrong, Blake, Child, Clendenin, Cotton, Edwards, Evans, Huston, Johnson, Law, Marshall, Milbourn, Palmer, Pennington, Reed, Tadlock and Zenor—17.

A message from the Senate, by Mr. Farnham, their assistant secretary: Announcing that the Senate have concurred in the amendments made by the House of Representatives to the amendments made in Senate to the act relative to foreign attachments. They have refused to concur in the amendments made by the House of Representatives to the amendments made by the Senate to the bill to establish a state road from Jacobs' Ford, on Silver creek, in Clark county, to the Slate Ford on the South Fork of the Muskacatuck, in Scott county.

They have passed the following bills entitled "Acts" from this House, viz:

"An act authorizing the printing of sundry private acts by their titles, and reprinting sundry statutes and for other purposes;" with amendments.

"An act for opening and repairing public roads and highways," with amendments.

"An act for the better management of the state prison and for other purpose," with an amendment. Also,

"An act limiting the time for alterations in state roads and for other purposes"—In which last mentioned bill and the several amendments made to the others, they request the concurrence of the House of Representatives—And he then withdrew.

On motion,

The House receded from their amendments to the amendments made in Senate to the bill from this House to establish a state road from Jacobs' Ford, on Silver creek, in Clark county, to the Slate Ford on the South Fork of the Muskacatuck, in Scott county.

Ordered, That the Senate be informed thereof.

The engrossed bill entitled "An act limiting the time for alterations in state roads and for other purposes," was read the first time—rule dispensed with, read the second time—And

On motion of Mr. Arion,

Indefinitely postponed.

On the question being put to concur in the first amendment made by the Senate to the engrossed bill from this House, entitled an act for opening and repairing public highways, (which was by striking out the 11th section of said bill and inserting another in lieu thereof; by which amendment all persons were bound to work six days in the year on roads, if the supervisor thought it necessary; and took off all road tax on the lands of both residents and non-residents,) was carried in the negative.

The ayes and noes being called for by Messrs. Blythe and Bullock, were as follows, to wit:

Those who voted to concur in said amendment were,

Messrs. Bowers, Clendenin, Edwards, Evans, Hill, Irwin, Johnson, Jones, Lomax, M'Call, Milbourn, Palmer, Pennington, Riley, Robertson, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—20.

And those who voted against concurring therein were,

Messrs. Arion, Armstrong, Blake, Blythe, Brownlee, Bullock, Burnett, Child, Clark, Dixon, Everts, Hillis, Hendricks, Huston, Jelly, Kennedy, Law, Marshall, Murdock, Oliver, Paxton, Reed, Schnee, and Stevens—24.

The House refuse to concur in amendments marked No. 1, 7 and 8, to said bill; but concur in amendments marked No. 2, 3, 4, 5 and 6.

Ordered, That the Senate be informed thereof.

This House also refuse to concur in the amendments made by the Senate, to the bill from this House for the better management of the state prison.

Ordered, That the Senate be informed thereof.

On motion,

The House concur in the first amendment made by the Senate, to the bill from this House, authorizing the printing of sundry private acts by their titles, and reprinting sundry statutes, and for other purposes; but refuse to concur in the second amendment to said bill, (which was by striking out the act for the incorporation of the town of Charlestown.)

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Stapp: Announcing that the Senate concur in the amendments made by this House to the 9th amendment proposed by the Senate, to the bill from this House, for assessing and collecting the revenue; but insist on their 13th amend-

ment to said bill, (which was by reducing the tax on Bank stock from one half to one fourth per centum,) and that they have adopted the following resolution.

Resolved, That a committee of free conference be appointed on the part of the Senate to act with a similar committee to be appointed on the part of the House of Representatives, to take under their consideration the subject matter of difference between the two Houses, relative to the 13th amendment made by the Senate to the revenue bill. And that Messrs. Stapp and Milroy be that committee on the part of the Senate.

And he then withdrew.

On motion,

Resolved, That this House do insist on their disagreement to said amendment—And

Resolved, That a committee of free conference be appointed on the part of this House, to act with the committee appointed on the part of the Senate, to take into consideration the difference between the two Houses relative to the amendments made by the Senate to the engrossed bill from this House, for assessing and collecting the revenue—and Messrs. Law and Child were appointed that committee.

Ordered, That the Senate be informed thereof.

Messrs. Pennington and Zenor handed in the following PROTEST at the Clerk's table, which was read and ordered to be spread upon the journals.

The undersigned, members of the House of Representatives composing a part of the minority, on the passage of the bill providing for the removal of the seat of government to Indianapolis, protest against that measure. And that it may not be presumed that our opposition arises from light, trivial, or selfish considerations, they refer to the twenty-fifth section of the third article of the constitution; by which it is ordained that the first session of the General Assembly, shall commence on the first Monday of November next, and forever after, the General Assembly, shall meet on the first Monday

in December in every year, and at no other period, unless directed by law, or provided for by this constitution.

It is the opinion of the undersigned, that under the above provisions, the General Assembly have no power to defer the commencement of their annual session, as the bill above mentioned does, by appointing it to commence on the second Monday of January, 1825—but, that the time is unalterably fixed, except by the power of a convention called to amend the constitution. It is true that the General Assembly may provide for a session at another period; but such session is extra, and different from the session on the first Monday in December in every year. It appears to the undersigned, that if the intention of the framers of the constitution had been otherwise, they would have indicated that intention by different language. Had they declared by the provision under consideration, that the General Assembly should meet on the first Monday in December in every year, until otherwise directed by law, or unless the General Assembly should by law appoint a different day, the meaning would have been obvious, and no doubt could have been raised as to the construction.

It is a principle of construction, that you include all the language of an instrument. The words "forever after," and "at no other period," are words of import, and must have their force and effect equally with other words in this section. What is that effect? Surely to create a duration and permanency, not to be affected by Legislative acts, as to the first, and as to the last, to raise a power to provide for an extra session whenever the Legislature might deem it expedient. The first Monday in December, is one period made perpetual by the words "forever after," and "in every year;" unless these words have no meaning; which is not admissible. There may be another period or point of time, raised by the words "and at no other period" created by Legislative discretion. But does this annihilate the

fixed period? Can the annual session be confounded with the other period without also confounding language? Do these words import the idea of change? Do they not on the contrary imply contingency? The provision in the bill is contingent. It contemplates nothing fixed; yet it repeals, if it be of any effect, the constitutional ordinance for annual sessions, without providing a substitute; without declaring the days of commencement of the next session, as that of future sessions. It annihilates the notion of annual sessions, and leaves what the constitution had fixed, to Legislative discretion, to arrange from session to session, as any political object whose attainment might be desirable should induce. If such construction be just, the General Assembly at the next session may provide that their successors shall not meet until July 1826, if the majority should deem it convenient for any purpose; and the important object contemplated by sessions fixed at periods uniformly distant, would be thus defeated.

The 22d section of the third article, contemplates annual sessions; and the thirteenth section of the fourth article, authorizes the Governor to adjourn the two Houses in a certain predicament; but not beyond the next *annual session*. What annual session any other than the session in December in every year, ordained by the constitution?

The constitution is imperious that there shall be a session in every year. What is the year here meant? It may be said that it is a year to be computed from the commencement of the state government. But is not this straining the language? Is it not setting the common sense construction, such as a plain man would give it, at nought? Can such a construction of the words be found in the annals of legislation or jurisprudence? Is not the year here meant, the period uniformly acknowledged as the year of the christian era? Had it been the year of the government, would it not have been so expressed? Can we give to this question, any but an

affirmative answer? For what is not expressed, cannot be implied, if such implication contradicts the expression; and most assuredly the common year of the christian era, is not the same year with the year of the government, unless the government commenced on the first of January. Such are the reasons of our doubts; and with those reasons operating on our minds, we could not vote for what we conceive violates a constitutional provision. We do not desire to violate the freedom of opinion, to which others are entitled—But can only express our regret, that a division of opinion would have been occasioned by a question which another year would have forever put to rest.

DENNIS PENNINGTON,
JOHN ZENOR.

The engrossed bill from the Senate, entitled "An act providing for the election of Senators and Representatives of the United States, and establishing Congressional districts," was read the third time as amended, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Mr. Child submitted the following report, viz:

Mr. Speaker,

The committee of free conference appointed by this House, to act with the committee on the part of the Senate, to take into consideration, the disagreement between the two Houses, relative to the thirteenth amendment made by the Senate, to the bill for assessing and collecting the revenue, report—That they have met, and could not agree in relation to the matter in dispute between the two Houses. That your committee offered to divide the sum in dispute, by authorizing a tax of thirty seven and one half cents on every hundred dollars of bank stock, in lieu of fifty cents; the tax originally imposed by this House. But the committee

on the part of the Senate, would not agree to such an alteration. All which is submitted.

Your committee therefore beg to be discharged from the further consideration of the subject.

Mr. Blake then moved that this House adhere to their disagreement. Which was decided in the negative. The ayes and noes being demanded by Messrs. Stevens and Blythe, were as follows, to wit:

Those who voted to adhere to said disagreement were,

Messrs. Blake, Clendenin, Dixon, Huston, Jones, Law, Murdock, Oliver and Riley—9.

And those who voted against adhering to said disagreement were,

Messrs. Arion, Armstrong, Blythe, Bowers, Brownlee, Bullock, Burnett, Clark, Cotton, Edwards, Evans, Everts, Hill, Hillis, Hendricks, Irwin, Jelly, Johnson, Kennedy, Lomax, Marshall, Milbourn, Nelson, Paxton, Pennington, Reed, Robertson, Schnee, Stevens, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—34.

Mr. Murdock then moved that this House insist on their disagreement to said amendment. Which was also decided in the negative.

So the said disagreement was receded from.

Ordered, That the Senate be informed thereof.

The engrossed bill relative to county boundaries, was taken up, read the third time, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

On motion of Mr. Stevens,

Resolved, That the public printer be, and he is hereby directed to print 128 copies in pamphlet form of the act for assessing and collecting the revenue, immedi-

ately after the same is enrolled, and signed by his Excellency, the Governor.

Whereupon,

The House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, JANUARY 28, 1824.

The House met pursuant to adjournment.

Mr. Nelson, from the joint committee for enrolled bills reported—That they have compared the enrolled with the engrossed bill, entitled "An act regulating the practice in suits at law"—And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Arion, from the joint committee for enrolled bills reported, that they did on yesterday, present to his Excellency, the Governor, for his approval and signature—

"An act regulating the practice in chancery."

"An act establishing a state road from Petersburgh to Washington."

"An act for the incorporation of county libraries."

"An act to establish a board of trustees for the promotion of schools and education in Clark's Grant."

"An act prescribing the mode of changing the venue."

"An act for the relief of insolvent debtors."

"An act authorizing the printing and distributing the acts, joint resolutions and journals of the present General Assembly, and for other purposes."

And that they have compared the enrolled with the engrossed bills entitled—

"An act providing for the alteration of a certain state road."

"An act for the appointment of county surveyors and their deputies."

"An act for the relief of Samuel Little and Thomas Highfill."

"An act concerning the board of trustees of the town of Evansville, and for other purposes."

"An act for the relief of John Spencer, sheriff of Dearborn county." And

"An act to regulate marriages."

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Murdock having obtained leave, presented a joint resolution on the subject of the furniture belonging to the state at Corydon; which was read the first time—rule dispensed with, read the second and third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Mr. Stevens, from the select committee to whom was referred the bill to establish a county treasurer, reported the same with amendments; which were read and concurred in.

The said bill was read the third time, as amended and passed.

Ordered. That the same be entitled "An act;" and that the Senate be informed thereof, and their concurrence requested.

Mr. Blythe submitted the following resolution, viz:

Resolved, That no member of this General Assembly be appointed to the office of circuit prosecuting attorney—Which was not adopted.

Mr. Blake presented the petition of Christian Shar and others, citizens of Parke and Vigo counties, praying an alteration in the bounds of Vermillion county—which was read and ordered to lie on the table.

A message from his Excellency, the Governor, by Mr. Payne, his private Secretary: Announcing that his Excellency, the Governor, did on the 26th instant, approve and sign—

"An act for the relief of Claudius G. Brown."

An act to perpetuate testimony.

An act authorizing the action of disseisin.

An act for the relief of Henry Kimberlin.

An act vacating part of the state road from Bethlehem by the way of New-Washington and Lexington to intersect the road from Mauk's ferry to Indianapolis, and for other purposes.

An act establishing the office and defining the duties of notary public.

An act for the relief of certain officers therein named.

An act to alter the north boundary line of Madison county and for other purposes.

An act requiring certain public officers to give security.

An act to attach a part of the county of Gibson to the county of Pike and for other purposes.

A joint resolution on the subject of extinguishing the Indian title to lands within this state.

An act providing for the settlement of decedents' estates and for other purposes.

Also on this day—

An act authorizing the printing and distributing the acts, joint resolutions and journals of the present General Assembly and for other purposes.

An act for the relief of insolvent debtors.

An act prescribing the mode of changing the venue.

An act regulating the practice in chancery.

An act to establish a state road from Petersburgh to Washington.

An act for the incorporation of county libraries.

An act to establish a board of trustees for the promotion of schools and education in Clark's Grant.

All which originated in the House of Representatives—And he then withdrew.

A message from the Senate, by Mr. Thompson: Announcing that the Senate have passed a joint memorial of the General Assembly of this state, to the Congress of the United States, in which they desire the concurrence of this House; and that they insist on their amendments made to the bill from this House, entitled "An act authorizing the printing sundry private acts by their titles, and reprinting sundry statutes, and for other purposes.

And he then withdrew.

On motion,

This House receded from their disagreement to said amendment.

Ordered, That the Senate be informed thereof.

The said memorial was read and adopted.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Milroy: Announcing that the Senate have passed a joint resolution relative to taxing certain lands within this state, with an amendment; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred in said amendment.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Graham: Announcing that the Senate insist on their 1st, 7th and 8th amendments to the engrossed bill from this House, entitled "An act for opening and repairing public roads and highways;" to which the House of Representatives disagree. The Senate have appointed a committee of free conference, to act with a similar committee to be appointed on the part of the House of Representatives, on the subject of the disagreement between the two Houses, relative to said bill; and a similar committee is requested on the part of the House of Representatives. The Senate have appointed Messrs Gra-

ham and Montgomery a committee on their part. The Senate recede from their amendments to the engrossed bill from the House of Representatives, entitled "An act for the better management of the state prison, and for other purposes." And that the Senate concur in the amendment made by this House, to the bill providing for the election of Senators of the United States, and the establishment of Congressional districts.

And he then withdrew.

Mr. Bullock then moved that the House insist on their disagreement to said amendment. Which was carried in the affirmative. The ayes and noes being called for by Messrs. Arion and Bullock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Armstrong, Blake, Blythe, Bowers, Brownlee, Bullock, Burnett, Child, Clark, Cotton, Dixon, Everts, Hillis, Hendricks, Huston, Jelly, Kennedy, Law, Marshall, Murdock, Nelson, Paxton, Reed and Stevens—25.

And those who voted in the negative were,

Messrs. Clendenin, Edwards, Evans, Hill, Irwin, Johnson, Jones, Lomax, M'Call, Milbourn, Palmer, Pennington, Riley, Robertson, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—19.

On motion of Mr. Blake,

Resolved, That a committee of free conference be appointed on the part of this House, to act with the committee appointed on the part of the Senate, to take into consideration the subject matter of difference between the two Houses, relative to the amendments made by the Senate, to said bill.

Whereupon,

Messrs. Blake and Armstrong were appointed that committee.

Ordered, That the Senate be informed thereof.

The engrosssed bill providing for the opening a canal at the Falls of the Ohio, was taken up, read the third time—And on the question being stated from the chair, shall said bill pass? Was carried in the affirmative. The ayes and noes being demanded by Messrs. Arion and Bullock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Blythe, Brownlee, Burnett, Clark, Edwards, Evans, Everts, Hill, Hendricks, Irwin, Jelly, Johnson, Kennedy, Law, Lomax, Marshall, Murdock, Nelson, Palmer, Paxton, Pennington, Reed, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—28.

And those who voted in the negative were,

Messrs. Arion, Blake, Bullock, Child, Clendenin, Cotton, Dixon, Hillis, Jones, M'Call, Milbourn, Riley, Robertson, Schnee and Stevens—15.

The House resolved itself into a committee of the whole, on the bill relative to seminary lands in Gibson and Monroe counties:

After some time spent therein,

The Speaker resumed the chair, and

Mr. Bullock reported the same without amendment.

The House resolved itself into a committee of the whole, on the bill from the Senate, to regulate the mode of doing county business; (abolishing the office of county commissioners:)

After some time spent therein,

The Speaker resumed the chair, and

Mr. Pennington reported the same with several amendments; in which he desired the concurrence of the House. And

On motion,

The House concurred therein.

Mr. Law moved to amend said bill, by adding the following proviso, to wit:

Provided however, That nothing in this act shall be so construed as to prevent any county in this state, from transacting county business under the provisions of the several acts, authorizing the board of county commissioners. On the question being stated from the chair, shall said amendment be adopted? Was decided in the negative. The ayes and noes being called for by Messrs. Law and Murdock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Blake, Blythe, Burnett, Child, Cotton, Dixon, Hill, Jelly, Law, Marshall, M'Call, Murdock, Schnee, Stevens and Wright—16.

Those who voted in the negative were,

Messrs. Arion, Bowers, Brownlee, Bullock, Clark, Clendenin, Edwards, Evans, Everts, Hillis, Hendricks, Irwin, Johnson, Jones, Kennedy, Lomax, Milbourn, Nelson, Oliver, Palmer, Paxton, Pennington, Reed, Riley, Robertson, Tadlock, Williams, Zenor and Maxwell, speaker—29.

Ordered, That the same be engrossed, and read the third time to-day.

Messrs. Child, Murdock and Blythe, presented the following Protest; which was read, and ordered to be entered on the journals, to wit:

The undersigned in behalf of themselves and constituents, solemnly protest against the passage of the act, authorizing the appointment of circuit prosecutors, for the following reasons:

1st. All innovations in long established habits of Government, unless in coincidence with the wishes of the people, are detrimental; and as the people have expressed no wish that a change so radical should be made in the manner pointed out by the acts, in the pro-

secution of criminal offences, the undersigned consider it an experiment in Legislation, not warranted by precedent, uncalled for by circumstance, and dangerous in the principles it embraces.

Because the authorizing the appointment of officers with salaries in any other manner than by the people or their representatives; & who when so appointed. will not in any manner, be accountable to those from whom they draw their support, is directly against the principles of our republican institutions, and at variance with those rights, which as freemen, it is our glory to possess.

Because, it is placing in the hands of the Executive, a power not contemplated by the framers of our constitution; and imposing on that department, duties, the performance of which, cannot fail to sour the minds of unsuccessful applicants; and of giving to those who may be successful, an undue influence in the several districts through which they are distributed, and attachment to that policy, on which the continuance of their office depends.

Because, by creating officers to be paid out of the treasury, at a time when that treasury is unable to meet the just demands against it, when the circulating medium has almost disappeared, and the pressure of the times renders the payment of necessary taxes by the people difficult, and in many cases impossible; and because the creation of these officers, may be considered as a prelude to higher salaries, and a more extensive chain of political management, is in the opinion of the undersigned, highly impolitic, and calculated to oppress those, whom it is their true policy to relieve.

EZRA CHILD,
G. L. MURDOCK,
B. I. BLYTHE.

Mr. Law having obtained leave, presented a joint resolution on the subject of collecting the outstanding revenue due the state; which was read the first time—

rule dispensed with, read the second and third time, and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Whereupon,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House assembled.

The House resolved itself into a committee of the whole, on the bill from the Senate, for changing certain state roads therein named, and for other purposes;

After some time spent therein,

The Speaker resumed the chair, and

Mr. Evans reported the same with amendments; in which he desired the concurrence of the House.

On motion,

The House concurred therein.

Ordered, That the same be engrossed, and read the third time to-morrow.

A message from the Senate by Mr. Thompson—Announcing that the Senate have passed a joint resolution of the General Assembly, in which they desire the concurrence of this House And then he withdrew.

The same was read a first time—rule dispensed with, read the second and third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill to abolish the office of attorney general, was read the third time, as amended, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill from the Senate, entitled An act regulating the mode of doing county business, was read the third time as amended, and passed.

The ayes and noes being demanded by Messrs. Blythe and Bullock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Bowers, Brownlee, Bullock, Clark, Clendenin, Edwards, Evans, Everts, Hillis, Hendricks, Irwin, Johnson, Jones, Kennedy, Lomax, Milbourn, Palmer, Paxton, Pennington, Reed, Riley, Robertson, Tadlock, Williams, Zenor & Maxwell, speaker—27.

And those who voted in the negative were.

Messrs. Armstrong, Blake, Blythe, Burnett, Child, Cotton, Dixon, Hill, Huston, Jelly, Law, Marshall, M'Call, Murdock, Schnee, Stevens and Wright—16.

The engrossed bill from the Senate, allowing further compensation to Christopher Harrison, agent of the three per cent. fund, was read the third time, and passed.

Ordered, That the Senate be informed thereof.

The bill to establish a board of trustees, was taken up, and indefinitely postponed.

The House resolved itself into a committee of the whole, on the bill making specific appropriations for the year 1824:

After some time spent therein,

The Speaker resumed the chair, and

Mr. Bullock reported progress, and asked leave to sit again. Which leave was granted.

Mr. Nelson, from the joint committee for enrolled bills reported—That they have compared the enrolled with the engrossed bill, entitled—

An act for assessing and collecting the revenue.

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate, by Mr. Stapp: Announcing that the Senate have passed a joint resolution of the General Assembly of the state of Indiana, on the

subject of the debt due from this state to the United States, without amendment. And he then withdrew.

A message from the Senate, by Mr. Slaughter: Announcing that the Senate have passed a joint resolution, respecting the furniture of the state, at Corydon, without amendment. And he then withdrew.

Whereupon,

The House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, JANUARY 29, 1824.

The House met pursuant to adjournment.

Mr. Nelson from the joint committee for enrolled bills, reported—That they have compared the enrolled with the engrossed bills, entitled "An act for the relief of the poor;" "An act concerning the Secretary of State;" and "An act concerning debtors and their securities"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

On motion of Mr. Zenor,

Resolved, That the members and clerks of this House bring in on the last morning of this session, all the ink-stands, sand-boxes, candlesticks, snuffers and paper belonging to the state, which may be in their several rooms, in order that the same may be delivered over to the Treasurer of State, for safe keeping.

Mr. Nelson having obtained leave, presented a bill for the amendment of the law; which was read the first time—rule dispensed with, read the second time, and indefinitely postponed.

And also, having leave, presented a bill for the benefit of the estate of John H. Crane, dec.; which was read

the first time—rule dispensed with, read the second and third time and passed.

Ordered, That the same be entitled an act, and that the Senate be informed thereof and their concurrence requested.

On motion of Mr. Edwards,

The House re-considered the vote given on yesterday, rejecting the engrossed bill from the Senate, entitled "An act supplementary to an act, entitled an act, in addition to the act, entitled an act authorizing the laying off certain state roads, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund for opening the same," approved, Dec. 26th, 1824. The said bill was then read the second and third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill concerning the seminary lands in Gibson and Monroe counties, was read the third time and passed.

Ordered. That the same be entitled an act, and that the Senate be informed thereof and their concurrence requested.

A message from the Senate by Mr. Stapp—Announcing that the Senate have receded from their amendments marked and numbered 1, 7 and 8, to the engrossed bill from this House, entitled "An act for opening and repairing public roads and highways. And he then withdrew.

The House again resolved itself into committee of the whole, on the bill making specific appropriations for the year 1824;

After some time spent therein,

The Speaker resumed the chair, and

Mr. Bullock reported the same with several amendments, in which he desired the concurrence of this House.

On motion,

The House concurred in all the amendments, except

the 8th and 9th. The 8th amendment, authorized the Governor, Secretary of State, Treasurer and Auditor or any three of them, to count and burn all the territorial warrants, entering the same on a book, setting forth their date, number and amount; and also, to count and burn all treasury notes, entering the same by their amount, number and date, in a book for that purpose; and also, absolutely destroy all plates and dies of every description. On the question being stated from the Chair, will the House concur in said amendment? Was carried in the affirmative. The ayes and noes being called for by Messrs. Armstrong and Bowers, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blake, Blythe. Brownlee, Child, Cotton, Dixon, Edwards, Evans, Everts, Hill, Hendricks, Irwin, Jones, Lomax, Milbourn, Murdock, Oliver, Palmer, Paxton, Pennington, Riley, Robertson, Schnee, Stevens, Wright, Zenor and Maxwell, speaker—27.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Bowers, Bullock, Burnett, Clark, Clendenin, Hillis, Huston, Jelly, Johnson, Kennedy, Law, Marshall, M'Call, Nelson, Reed, Tadlock and Williams—19.

The 9th amendment was, by authorizing the county commissioners of each county, together with the clerk and county treasurer, to go into the clerk's office and note in a book, to be by them kept for that purpose, the amount and description, by number, amount, date and to whom payable, of all county orders taken up by the treasurers of the several counties respectively, and filed in the clerk's office, and burn all such county orders as aforesaid, and in like manner enter and burn all other orders which may be settled at any subse-

quent settlements thereafter, at the time of settling the same.

On the question being stated from the Chair, will the House concur in said amendment? Was carried in the affirmative. The ayes and noes being called for by Messrs. Armstrong and Bullock, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Blythe, Bowers, Brownlee, Bullock, Burnett, Child, Clark, Clendenin, Dixon, Edwards, Evans, Everts, Hill, Hendricks, Irwin, Jelly, Johnson, Jones, Law, Lomax, M'Call, Milbourn, Murdock, Oliver, Palmer, Paxton, Pennington, Reed, Riley, Robertson, Schnee, Stevens, Tadlock, Williams, Wright, Zenor and Maxwell, speaker—37.

And those who voted in the negative were,

Messrs. Arion, Armstrong, Blake, Cotton, Hillis, Huston, Kennedy, Marshall and Nelson—9.

Ordered, That the said bill be engrossed, and read the third time to-day.

A message from the Senate by Mr. Graham: Announcing that the Senate have passed a joint resolution relative to the acts and joint resolutions of this General Assembly; in which they desire the concurrence of this House. And he then withdrew.

The same was read the first time—rule dispensed with, read the second and third time, and passed with an amendment.

Ordered, That the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Milroy: Announcing that the Senate have passed engrossed bills from this House, entitled—

"An act concerning corporations;" without amendment. And

"An act relating to county seminaries," with amendments; in which they desire the concurrence of this House.

On motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Jenckes: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act for improving the navigation of the river Wabash," with amendments; in which they desire the concurrence of this House. And

On motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Montgomery: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act concerning the seminary lands in Gibson and Monroe counties," with an amendment; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Thompson: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act providing for opening a canal at the Falls of Ohio," with amendments; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred in all the amendments, except amendment marked No. 1.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Farnham, their assistant Secretary: Announcing that the Senate have passed a joint resolution, on the subject of the outstanding revenue due the state; and concurred in the amendments made by this House, to the engrossed bill from

the Senate, entitled "An act regulating the mode of doing county business." And he then withdrew.

A message from the Senate, by Mr. Ray: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act incorporating Congressional townships, and providing for public schools therein," without amendment; and "An act establishing a county treasurer," with amendments; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred in amendments marked and numbered 1, 2, 3, 4, 5, 6, 7, 8, and in No. 9, with an amendment.

Ordered, That the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Gregory: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act making general appropriations for the year 1824," with amendments; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

On motion of Mr. Zenor,

The House re-considered the vote on concurring in the 8th amendment made by the Senate, to the bill from this House, entitled "An act establishing a county treasurer:" which was by reducing the per cent. allowed to the treasurer. from 2 1-2 to 1 per cent. for receiving, and the same for paying out; and amended the amendment by striking out 1, and inserting 1 1-2 per cent.

Ordered, That the Senate be informed thereof, and their concurrence requested.

Whereupon,

The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House assembled.

Mr. Arion from the joint committee for enrolled bills reported, that they did on yesterday, present to his Excellency, the Governor, for his approval and signature,

An act for assessing and collecting the revenue.

An act regulating the practice in suits at law.

An act to regulate marriages.

An act for the relief of John Spencer, sheriff of Dearborn county.

An act for the relief of Samuel Little and Thomas Highfill.

An act confirming the board of trustees of the town of Evansville, and for other purposes.

An act for the appointment of county surveyors and their deputies.

An act providing for the alteration of a certain state road.

An act for the relief of the poor.

An act concerning the Secretary of state. And

An act concerning debtors and their securities.

And they have compared the enrolled with the engrossed bills, entitled "An act establishing a state road from the French Lick to Hindostan, and for other purposes"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Nelson from the joint committee for enrolled bills, reported—That they have compared the enrolled with the engrossed bills, entitled—

An act organizing circuit courts, and defining their powers and duties. And

An act regulating the fees of the several officers and persons therein named.

Whereupon,

The Speaker signed the same.

Mr. Law having obtained leave, presented a bill authorizing compensation to William Polke, as commis-

sioner, &c.; which was read the first time—rule dispensed with, read the second and third time, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

Mr. Clendenin having obtained leave, presented a joint resolution on the subject of the Indianapolis agency; which was read the first time—rule dispensed with, read the second and third time, and passed.

Ordered. That the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Craig: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act giving further powers to the agent at Indianapolis," with amendments; in which he desired the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Thompson: Announcing that the Senate have passed engrossed bills from this House, entitled "An act relative to the boundaries of counties," without amendment; and "An act for the relief of the collector of Clark county," with an amendment; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Sholtz: Announcing that the Senate have passed an engrossed bill from this House, entitled "An act authorizing compensation to William Polke, as commissioner, &c." without amendment. He then withdrew.

The engrossed bill to establish a board of county commissioners, was taken up, read the third time, and passed.

Ordered, that the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Chambers: Announcing that the Senate have passed a bill from this House, entitled an act authorizing the review of a certain state road therein named, without amendment. He then withdrew.

Mr. Clendenin having obtained leave, presented a bill concerning the revenue due the state from the county of Washington, for the year 1817; which was read (rule having been dispensed with,) three several times, and passed. The ayes and noes being demanded by Messrs. Child and Law, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Arion, Blake, Blythe, Bowers, Brownlee, Clark, Clendenin, Dixon, Edwards, Evans, Hillis, Hendricks, Irwin, Johnson, Law, Lomax, M'Call, Milbourn, Murdock, Oliver, Palmer, Paxton, Pennington, Reed, Riley, Robertson, Schnee, Stevens, Tadlock, Williams and Zenor—31.

And those who voted in the negative were.

Messrs. Child, Hill, Huston, Jones, Kennedy, Marshall, Nelson and Maxwell, speaker—8.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Thompson: Announcing that the Senate have passed bills from this House, entitled—

"An act for the benefit of the estate of John H. Crane, deceased."

"An act to provide for the election of county and township officers." And

"An act regulating the admission and practice of at-

tornies and counsellors at law," without amendment. And he then withdrew.

The engrossed bill making specific appropriations for the year 1824, was read the third time, and passed.

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

A message from the Senate by Mr. Chambers: Announcing that the Senate have concurred in the amendments made by this House, to the bill from the Senate, entitled "An act for changing certain state roads, and for other purposes." And he then withdrew.

A message from the Senate, by Mr. Gregory: Announcing that the Senate have passed a joint resolution on the subject of the Indianapolis agency; which originated in this House. And he then withdrew.

Mr. Kennedy having obtained leave, presented a bill for the relief of John and James Montgomery; which was read the first time—rule dispensed with, read the second time, and rejected. Leave was given to withdraw the petitions.

Leave was given to withdraw the petition of Peter Piles.

Mr. Oliver having obtained leave, presented a bill regulating the practice in courts of law; which was read the first time—rule dispensed with, read the second time, and postponed until the second Monday in January, 1825.

Whereupon,

The House adjourned until to-morrow morning nine o'clock.

FRIDAY MORNING, JANUARY 30, 1824.

The House met pursuant to adjournment.

Mr. Nelson from the joint committee for enrolled bills, reported—That they have compared the enrolled with the engrossed bills, entitled "An act providing for the incorporation of towns;" "An act subjecting real and personal estate to execution;" "An act for the benefit of Polly Brown, and the infant heirs of the late Henry Brown, of Lawrence county, deceased;" "A joint resolution respecting the state furniture at Corydon;" "A joint resolution of the General Assembly, relative to taxing lands within this state;" and "A joint resolution on the subject of the debt due from this state to the United States"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Arion from the joint committee for enrolled bills, reported—That they have compared the enrolled with the engrossed bills, entitled "An act supplemental to the act, entitled an act authorizing the citizens of towns to vacate said towns or any part thereof, and for other purposes;" "An act to prevent waste on lands reserved for the use of salt springs, and for other purposes;" "An act relative to foreign attachments;" and "An act regulating the duties and jurisdiction of justices of the peace"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Evans presented the following resolution, which was unanimously adopted, to wit:

Resolved, That the members of this House, consider that the compilation of the laws by his Excellency the Governor, was executed in an elegant and masterly manner, much to the satisfaction of this House, calculated to facilitate the progress of our labours, and high-

ly beneficial to the interests of the citizens of this state generally.

Resolved, That the members of this House, tender to his Excellency the Governor, on the part of themselves and the citizens whom they have the honour to represent, a vote of thanks for the excellent and useful compilation of the laws of this state, presented to them by his Excellency, at the commencement of the present session of the General Assembly.

Mr. Nelson having obtained leave, presented a bill supplemental to the act, entitled "An act subjecting real and personal estate to execution," which was read the first time:

Mr. Evans then moved to reject the same, which was carried in the affirmative.

The ayes and noes being called for by two members, were as follows, to wit:

Those who voted to reject said bill were,

Messrs. Brownlee, Burnett, Clendenin, Dixon, Edwards, Evans, Hill, Hillis, Hendricks, Huston, Irwin, Johnson, Jones, Kennedy, Lomax, Milbourn, Murdock, Palmer, Riley, Robertson, Schnee, Stevens, Williams and Maxwell, speaker—24.

And those who voted against rejecting said bill were,

Messrs. Arion, Armstrong, Blythe Bullock, Child, Clark, Everts, Jelly, Law, Marshall, M'Call, Nelson, Oliver, Paxton, Pennington, Reed, Tadlock, Wright and Zenor—20.

A message from the Senate by Mr. Stapp: Announcing that the Senate have elected Mr. James B. Ray, President of the Senate pro tem. And then withdrew.

The House adjourned until 1 o'clock, P. M.

1 *o'clock, P. M.*

The House assembled.

A message from the Senate by Mr. Slaughter: Announcing that the Senate have passed an act, supplemental to an act, entitled "An act providing for the settlement of decedents' estates, and for other purposes," in which they desire the concurrence of this House.

The same was read the first time, and

On motion, rejected.

On motion of Mr. Blake,

It was unanimously—

Resolved, That the honourable David H. Maxwell, for the intelligence, assiduity and impartiality displayed by him in the chair, during the present session of the Legislature, and for his dignified deportment in the dischasge of its various duties, deserves and receives the unqualified approbation and thanks of the House of Representatives.

Mr. Nelson from the joint committee for enrolled bills, reported—That they have compared the enrolled with the engrossed bills, entitled "An act for changing certain state roads therein named;" and "An act for the relief of the collector of Clark county"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate by Mr. Milroy—Announcing that the Senate have passed a joint resolution of the General Assembly, in which they desire the concurrence of this House. And he then withdrew.

The same was read a first time—rule dispensed with, read a second and third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Nelson from the joint committee for enrolled bills, reported—That they did on this day, present to his Excellency the Governor, for his approval and signature—

An act for the incorporation of towns.

An act for the benefit of Polly Brown and the infant heirs of the late Henry Brown, deceased, of Lawrence county.

An act subjecting real and personal estate to execution.

An act supplemental to an act, entitled an act authorizing the citizens of towns to vacate said towns or any part thereof, and for other purposes.

An act to prevent waste on lands reserved for the use of salt springs, and for other purposes.

An act relative to foreign attachments.

An act regulating the duties and jurisdiction of justices of the peace.

A joint resolution respecting the state furniture, at Corydon.

A joint resolution relative to taxing lands within this state. And

A joint resolution on the subject of the debt due from this state to the United States.

Mr. Arion from the joint committee for enrolled bills reported—That they have compared the enrolled with the engrossed bills, entitled—

An act supplementary to an act, entitled an act in addition to the act, entitled an act authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the said roads—approved, December 22, 1823.

An act for the formation of Congressional Districts, and for the election of Senators and Representatives to Congress.

An act allowing further compensation to Christopher Harrison, agent of the three per cent. fund.

A memorial of the General Assembly of the state of Indiana. And

A joint resolution of the General Assembly.

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Nelson from the joint committee for enrolled bills reported, that they did on this day, present to his Excellency, the Governor, for his approval and signature—

An act for changing certain state roads therein named, and for other purposes.

An act for the formation of Congressional Districts, and for the election of Senators and Representatives to Congress.

An act allowing further compensation to Christopher Harrison, agent of the three per cent. fund.

A joint resolution of the General Assembly.

An act for the relief of the collector of Clark county.

A memorial of the General Assembly.

An act supplementary to an act, entitled an act in addition to the act, entitled an act authorizing the laying off certain state roads, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening said roads—approved, December 22, 1823. And

A joint resolution relative to the State and District Medical Society.

A message from the Senate, by Mr. Gregory: Announcing that the Senate have passed an engrossed bill from this House, entitled an act making specific appropriations for the year 1824, with amendments; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred in the first amendment with an amendment, and concur in the third amendment; but disagree to the second.

Ordered, That the Senate be informed thereof, and their concurrence requested.

A message from the Senate, by Mr. Slaughter: Announcing that the Senate have passed a joint resolution of the General Assembly, relative to the State and

District Medical Society, from this House, without amendment. And he then withdrew.

The engrossed bill regulating the mode of summoning and empannelling grand and petit jurors, was read the third time, and passed

Ordered, That the same be entitled "An act," and that the Senate be informed thereof, and their concurrence requested.

Mr. Nelson from the joint committee for enrolled bills, reported—That they have compared the enrolled with the engrossed, entitled—

A joint resolution of the General Assembly, relative to the State and District Medical Society.

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Stevens having obtained leave, presented a bill to extend the bounds of Switzerland county; which was read the first time—rule dispensed with, read the second time, and postponed until the second Monday in January, 1825.

A message from the Senate, by Mr. Thompson—Announcing that the Senate have passed an engrossed bill from this House, entitled "An act establishing a board of county commissioners," without amendment. And that they insist on their amendments to the bill authorizing a county treasurer. And also insist on their amendments to the bill for opening a canal round the Falls of Ohio. And also, that they concur in the amendment made by this House to the amendment by the Senate, to the bill making specific appropriations for the year one thousand eight hundred and twenty four; but insist on their second amendment to said bill. And he then withdrew.

On motion,

The House receded from their disagreement to the amendments made by the Senate, to the bill authorizing a county treasurer—and also from their objections

to the amendments made by the Senate, to the bill for opening a canal round the Falls of Ohio; but insist on their disagreement to the second amendment made by the Senate, to the bill making specific appropriations for the year one thousand eight hundred and twenty four.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Sholtz: Announcing that the Senate have passed an engrossed bill from this House, regulating the mode of summoning and empannelling grand and petit jurors, with an amendment; in which he desired the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Craig—Announcing that the Senate have passed an engrossed bill from this House, entitled "An act concerning clerks," with an amendment; in which they desire the concurrence of this House. And he then withdrew.

On motion,

The House concurred therein.

A message from the Senate, by Mr. Graham: Announcing that the Senate have receded from so much of their first amendment to the bill from this House, making specific appropriations for the year one thousand eight hundred and twenty-four, as the House of Representatives have disagreed to; but insist on their second amendment to said bill.

On motion,

Resolved, That this House do insist on their disagreement to said amendment; which authorizes a reissue of treasury notes. And

Resolved, That a committee of free conference be appointed, to act with a similar committee to be appointed on the part of the Senate, to take into conside-

ration the subject matter of difference between the two Houses, relative to said amendment.

Messrs. Pennington and Evans were appointed that committee.

Ordered, That the Senate be informed thereof.

Mr. Nelson from the joint committee for enrolled bills, reported—That they have compared the enrolled with the engrossed bills, entitled—

An act relative to the boundaries of counties. And

An act authorizing the printing sundry private acts by their titles, and reprinting sundry statutes, and for other purposes"—and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate by Mr. Thompson—Announcing that the Senate insist on their amendment to the bill making specific appropriations for the year one thousand eight hundred and twenty-four—and have appointed Messrs. Thompson and Graham a committee of free conference, to act with the committee appointed on the part of the House of Representatives on the subject matter of difference between the two Houses, relative to said amendments, to the appropriation bill.

A message from the Governor, by Mr. New—Announcing that his Excellency did on this day, approve and sign, the following acts and resolutions—which originated in the House of Representatives:

An act organizing circuit courts, and defining their powers and duties.

An act for the appointment of county surveyors and their deputies.

An act providing for the alteration of a certain state road.

An act to regulate marriages.

An act confirming the board of trustees of the town of Evansville, and for other purposes.

An act for the relief of Samuel Little and Thomas Highfill.

An act for the relief of John Spencer, sheriff of Dearborn county.

An act regulating the practice in suits at law.

An act concerning the Secretary of state.

An act concerning debtors and their securities.

An act regulating the fees of the several officers and persons therein named.

An act for the relief of the poor.

An act for the relief of the collector of Clark county.

An act providing for the incorporation of towns.

An act subjecting real and personal estate to execution.

An act relative to foreign attachments.

An act to prevent waste on lands reserved for the use of salt springs, and for other purposes.

An act supplemental to the act, entitled An act authorizing the citizens of towns to vacate said towns, or any part thereof, and for other purposes.

An act for the assessing and collecting the revenue.

An act for the benefit of Polly Brown, and the infant heirs of the late Henry Brown, of Lawrence county, deceased.

A joint resolution respecting the state furniture, at Corydon.

A joint resolution of the General Assembly of the state of Indiana, relative to taxing lands within this state.

A joint resolution of the General Assembly of the state of Indiana, on the subject of the debt due from this state to the United States. And

A joint resolution of the General Assembly, relative to the State and District Medical Societies. And he then withdrew.

Whereupon,

The House adjourned until to-morrow morning 8 o'clock.

SATURDAY MORNING, JANUARY 31, 1824.

The House met pursuant to adjournment.

On motion of Mr. Arion,

Messrs. Stevens and Law were added to the joint committee for enrolled bills.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Farnham, their assistant secretary—Announcing that the Senate have received official information, that his Excellency the Governor, did on the 26th instant, approve and sign—

An act declaring certain streams therein named public highways. And

An act to incorporate the Law Library Society.

And on the 20th instant, he approved and signed—

An act establishing the permanent seat of government of the state Indiana.

An act declaring Blue River a public highway, and for other purposes.

An act to regulate the militia of the state of Indiana.

Also, on this day—

An act for the relief of certain lessees of reserved lands.

An act for the appointment of constables and defining their duties. And

An act for the relief of the heirs of officers deceased.

All of which originated in the Senate.

Mr. Evans reported—That the committee of free conference appointed on the part of this House, to act with a similar committee appointed on the part of the Senate, on the subject matter of disagreement between the two Houses, relative to the bill "Making specific appropriations for the year 1824," have agreed that the amendment made by the Senate to said bill, authorizing the re-issue of treasury notes, be so amended, that the sum to be re-issued shall not exceed four thousand dollars; and on such amendment being so made, your committee agree that the House of Representatives recede from their objections to said amendment.

On the question being put, will the House concur in said report? It was decided in the negative.

The ayes and noes being called for by two members, were as follows, to wit:

Those who voted to concur in said report were,

Messrs. Bowers, Burnett, Clark, Evans, Huston, Jelly, Johnson, Marshall, Milbourn, Palmer, Reed, Tadlock and Williams—13.

And those who voted against concurring in said report were,

Messrs. Armstrong, Blythe, Brownlee, Bullock, Child, Clendenin, Dixon, Edwards, Hill, Hillis, Hendricks, Irwin, Jones, Kennedy, Lomax, Murdock, Oliver, Pennington, Riley, Robertson, Schnee, Stevens, Zenor and Maxwell, speaker—23.

So said report was not concurred in.

On motion of Mr. Murdock,

Resolved, That this House adhere to their disagreement to the second amendment made by the Senate, to the bill "Making specific appropriations for the year one thousand eight hundred and twenty four."

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Graham: Announcing that the Senate have concurred in the report of the joint committee of free conference, appointed to take into consideration the subject matter of difference between the two Houses, relative to the second amendment made by the Senate, to the bill "Making specific appropriations for the year 1824." And then he withdrew.

Mr. Nelson from the joint committee for enrolled bills, reported—That the said committee had compared the enrolled with the engrossed bills, entitled 'Acts,' to wit:

An act to regulate the mode of doing county business.

An act to provide for electing county and township officers.

An act authorizing compensation to William Polke, as commissioner.

An act for the benefit of the estate of John H. Crane, deceased.

An act giving further powers to the agent at Indianapolis.

An act regulating the mode of summoning and empannelling grand and petit jurors.

An act for opening a canal at the Falls of Ohio.

An act concerning the seminary lands in Gibson and Monroe counties.

An act regulating the admission and practice of attorneys and counsellors at law.

An act incorporating congressional townships, and providing for public schools therein.

A joint resolution on the subject of the Indianapolis agency.

A joint resolution relative to the acts and joint resolutions of the General Assembly. And

A joint resolution relative to the President's message. And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate by Mr. Raridon, a member—Announcing that the Senate have concurred in the resolution of the House of Representatives, for adding two additional members from each House, to the joint committee for enrolled bills—and have on their part, appointed Messrs. Stapp and Raridon to be that committee.

On motion of Mr. Reed,

Resolved, That the Senate be informed, that the House of Representatives have gone through their business, and are now ready to adjourn *sine die*.

Mr. Pennington moved to reconsider the vote by which this House adhered to their disagreement to the

second amendment proposed by the Senate, to the bill "Making specific appropriations for the year 1824;" which motion was decided in the affirmative.

The question being then put from the Chair, shall the House adhere to their disagreement to the second amendment made by the Senate, to the above named bill? It was decided in the negative.

The ayes and noes being demanded by Messrs. Murdock and Pennington, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong, Blythe, Brownlee, Bullock, Cotton, Edwards, Everts, Hill, Hillis, Hendricks, Irwin, Lomax, Murdock, Oliver, Riley, Stevens, Zenor and Maxwell, speaker—18.

And those who voted in the negative were,

Messrs. Bowers, Burnett, Child, Clark, Clendenin, Dixon, Evans, Huston, Jelly, Johnson, Jones, Marshall, M'Call, Milbourn, Nelson, Palmer, Pennington, Reed, Robertson, Tadlock, Williams and Wright—22.

Mr. Reed then moved, that the House concur in the report of the joint committee of free conference, heretofore appointed to take into consideration the subject of difference between the two Houses, relative to the said bill; which was decided in the negative.

The ayes and noes being demanded by Messrs. Reed and Hillis, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Bowers, Clark, Clendenin, Evans, Huston, Johnson, Marshall, M'Call, Milbourn, Nelson, Palmer, Pennington, Reed, Tadlock, Williams, Wright and Zenor—17.

And those who voted in the negative were.

Messrs. Arion, Armstrong, Blythe, Brownlee, Child,

Cotton, Dixon, Edwards, Everts, Hill, Hillis, Hendricks, Irwin, Jones, Kennedy, Lomax, Murdock, Oliver, Riley and Maxwell, speaker—20.

A message from the Senate, by Mr. Thompson—Announcing that the Senate have adopted a joint resolution of the General Assembly, relative to executions; which was read the first time, and

On motion of Mr. Murdock, rejected.

The ayes and noes being demanded by two members, were as follows, to wit:

Those who voted to reject said resolution were,

Messrs. Blake, Brownlee, Burnett, Child, Clendenin, Dixon, Edwards, Evans, Everts, Huston, Irwin, Johnson, Jones, Kennedy, Law, Lomax, Marshall, Milbourn, Murdock, Oliver, Pennington, Riley, Robertson, Schnee, Tadlock, Williams, Wright and Maxwell, speaker—28.

And those who voted against rejecting said resolution were,

Messrs. Arion, Armstrong, Blythe, Bowers, Bullock, Clark, Cotton, Hillis, Hendricks, Jelly, Nelson, Paxton, Reed, Stevens and Zenor—15.

Mr. Reed then moved, that this House concur in the report of the committee of free conference, appointed to take into consideration the subject matter of difference between the two Houses, relative to the bill "Making specific appropriations for the year 1824;" which was carried in the affirmative.

And the ayes and noes being demanded by two members, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Bowers, Burnett, Clark, Clendenin, Dixon, Evans, Huston, Jelly, Johnson, Marshall, M'Call,

Nelson, Palmer, Paxton, Pennington, Reed, Tadlock, Williams, Wright and Zenor—20.

And those who voted in the negative were,

Messrs. Armstrong, Blythe, Brownlee, Cotton, Edwards, Hill, Hillis, Hendricks, Irwin, Jones, Lomax, Murdock, Oliver, Riley and Maxwell, speaker—15.

Mr. Stevens from the joint committee for enrolled bills, reported—That the said committee have compared the enrolled with the engrossed bills, to wit:

An act to authorize the location of certain state roads.

An act making general appropriations for the year 1824.

An act for opening and repairing public roads and highways.

An act establishing a county Treasurer.

An act authorizing the review of a certain state road.

An act to establish a board of county commissioners:

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

A message from the Senate by Mr. Farnham, their assistant secretary:

Mr. Speaker,

The Senate have received official information, that his Excellency, the Governor, did, on this day, approve and sign the following acts and memorial, which originated in the Senate, viz:

An act allowing further compensation to Christopher Harrison, agent of the three per cent. fund.

An act supplementary to an act, entitled an act in addition to the act, authorizing the laying off certain state roads, in this state and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening said roads—approved, December 22, 1823.

An act for the formation of Congressional Districts,

and for the election of Senators and Representatives to Congress.

An act changing certain state roads therein named, and for other purposes.

An act establishing a state road from the French Lick to Hindostan and for other purposes.

An act regulating the duties and jurisdiction of justices of the peace. And

A memorial of the General Assembly of the state of Indiana.

Mr. Nelson from the joint committee for enrolled bills reported: That the said committee have compared the enrolled with the engrossed bill making specific appropriations for the year 1824. And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Mr. Arion from the joint committee for enrolled bills reported: That they did, on this day, present to his Excellency, the Governor, for his approval and signature—

An act to regulate the mode of doing county business.

An act to provide for electing county and township officers.

An act for the benefit of the estate of John H. Crane.

An act concerning the seminary lands in Gibson and Monroe counties.

An act providing for opening a canal at the Falls of Ohio.

An act relating to the mode of summoning and empannelling grand and petit jurors.

An act giving further powers to the agent for the state at Indianapolis.

An act regulating the admission and practice of attorneys and counsellors at law.

An act authorizing a compensation to Wm. Polke, commissioner.

An act authorizing the printing of sundry private acts by their titles, and re-printing sundry statutes, and for other purposes. And

An act relative to county boundaries.

An act incorporating Congressional townships and providing for public schools therein.

A joint resolution on the subject of the Indianapolis agency.

A joint resolution relative to the acts and joint resolutions of the General Assembly.

A joint resolution of the General Assembly relative to the President's message.

An act for improving the navigation of the river Wabash.

An act for the better management of the state prison and for other purposes.

An act concerning clerks.

An act relating to county seminaries.

An act concerning corporations.

A joint resolution on the subject of outstanding revenue due the state.

An act to establish a board of county commissioners.

An act making general appropriations for the year 1824.

An act authorizing the review of a certain state road therein named.

An act to authorize the location of a certain state road.

An act establishing a county treasurer.

An act for opening and repairing public roads and highways. And

An act making specific appropriations for the year 1824.

A message from his Excellency the Governor, by Mr. Payne, his Private Secretary, announcing that his Excellency did on this day, approve and sign—

An act concerning the seminary lands in Gibson and Monroe counties.

An act giving further powers to the agent for the state at Indianapolis.

An act concerning corporations.

An act incorporating congressional townships, and providing for public schools therein.

An act relating to county seminaries.

An act for the better management of the state prison and for other purposes.

An act improving the navigation of the river Wabash.

An act for the benefit of the estate of John M. Crane, deceased.

An act authorizing the printing of sundry private acts, by their titles, and reprinting sundry satutes and for other purposes.

An act concerning clerks.

A joint resolution on the subject of outstanding revenue due the state.

An act authorizing compensation to William Polke, as commissioner.

An act regulating the admission and practice of Attorneys and Counsellors at law.

An act relative to county boundaries.

An act providing for opening a canal at the Falls of Ohio.

An act to provide for the election of county and township officers.

An act regulating the mode of summoning and empannelling grand and petit jurors.

A joint resolution on the subject of the Indianapolis agency.

An act for opening and repairing public roads and highways.

An act authorizing the review of a certain state road therein named.

An act establishing a county treasurer.

An act to authorize the location of certain state roads.

An act making general appropriations for the year one thousand eight hundred and twenty-four.

An act to establish a board of county commissioners.

An act making specific appropriations for the year one thousand eight hundred and twenty-four.

All of which originated in the House of Representatives.

On motion of Mr. Arion,

Resolved, That a committee be appointed on the part of this House, to act with a similar committee to be appointed on the part of the Senate, to wait on his Excellency the Governor, and ascertain from him, whether he has any further business to communicate to them, if not, to inform him that both Houses have gone through their business, and are now ready to adjourn *sine die*.

Messrs. Arion and Stevens were appointed a committee on the part of this House.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Milroy—Announcing that the Senate have adopted a resolution, in conformity to the resolution of the House of Representatives, on the subject of a committee to wait on his Excellency the Governor, to inform him, that the two Houses of the General Assembly have gone through their business, and are ready to adjourn sine die—and to learn of him, whether he has any further communications to make to them—and have appointed on their part, Messrs. Chambers and Milroy that committee.

Mr. Arion reported—That the joint committee appointed to wait on his Excellency the Governor, and inform him, that both Houses of the General Assembly have finished the Legislative business before them; and to enquire of him, whether he has any further communications to make to them—have performed that duty, and received for answer, that he had no further communications to make at the present session.

A message from the Senate by Mr. Gregory—Announcing that the Senate have adopted the following resolution, to wit:

Resolved, That the House of Representatives be informed, that the Senate have gone through their business, and are now ready to adjourn *sine die*.

On motion of Mr. Robertson,

Resolved, That the Senate be informed, that the House of Representatives have gone through their Legislative business and are now ready to adjourn *sine die*.

On motion of Mr. Pennington,

Resolved, That a committee be appointed to wait on the Reverend William Shanks, and request him to attend at the Hall of the House of Representatives, in order to close the present session with prayer.

Whereupon,

The Speaker appointed Messrs. Pennington and Bullock that committee.

The Reverend William Shanks came in, attended by the committee appointed to wait upon him for that purpose, and addressed the Throne of Grace in an appropriate prayer.

A motion was then made, that this House do now adjourn—and the question being put, it was carried in the affirmative. And thereupon, the Speaker adjourned the House *sine die*.

HENRY P. THORNTON, Clerk.

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